sell participation certificates in pools of loans held by six Federal lending agencies.

Grand Coulee Dam: $390 million is authorized for construction of a third powerplant at the dam.

Debt ceiling increase: As spending continued to exceed income, it became necessary to raise the national debt ceiling by $2 billion, from $328 to $330 billion for the fiscal year ending June 30, 1967.

Federal Salary and Fringe Benefits Act of 1966, which provided a pay increase averaging 2.9 percent for Federal Government employees.

Library Services and Construction Act Amendments of 1966: The following sums are provided for library services and construction for the next 5 fiscal years: 1967, $88 million; 1968, $114 million; 1969, $140 million; 1970, $166 million; and 1971, $192 million; total, $700 million.

Legislation to regulate the transportation, sale, and handling of dogs, cats, and certain other animals intended to be used for research or experimentation. The purpose of this bill was 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 with humane care and treatment.

Urban Mass Transportation Act of 1964 amendments, which provides grants of $150 million for each of the fiscal years 1967, 1968, and 1969 for urban mass transportation grants.

Traffic Safety Act of 1966, which sets nationwide Federal car safety standards, starting with 1968 models.

Highway Safety Act of 1966, which provides a national driver registry to keep track of revoked or suspended licenses.

Foreign Assistance Act of 1966, which authorizes a total of $3.5 billion for fiscal year 1967.

Among the bills that have passed both Houses but are in a state of suspended animation awaiting conference committee action is the Unemployment Insurance Amendments of 1966. The House and Senate have adopted the conference report on minimum wage increases. The Civil Rights Act of 1966 with the controversial housing provision was killed in the Senate after passing the House by 259 to 157.

Measures that have passed the House but which have not been approved by the Senate include: Equal Employment Opportunities Act of 1966, health manpower, higher education, international education, and the new Department of Transportation.

Bills that have passed the Senate and will probably be passed by the House by the time this report reaches you include: Water pollution control and demonstration cities.

Poverty war amendments, hospital modernization, elementary school aid, campaign financing reforms, and electoral college reforms have not passed either body as of the date this report is issued.

A proposal to submit a constitutional amendment to the States, whereby they would be permitted to decide for themselves how at least one of their legislative bodies should be apportioned, was defeated in the Senate. While hearings on legislation providing a 4-year term for Members of the House of Representatives were held in both Houses, this proposal is dead as far as the 89th Congress is concerned. A bill to repeal right-to-work laws—section 14b of the Taft-Hartley law—as they still exist in 19 States passed the House last year, but it was talked to death in the Senate early this year.

Constituents who want copies of public laws or bills, either on the above or other subjects, may obtain them by writing to me at either my Washington or district offices.

So far in 1966 more than 480 residents of the 10th District have visited my office in the Nation's Capital. My staff will be happy to provide gallery passes for both the House and Senate and arrange for tours of the White House, the Federal Bureau of Investigation, the Bureau of Engraving and Printing, and other places of interest in Washington.

Early during this session, I took a public opinion poll in my district to determine how my constituents felt about the war in Vietnam and inflation.

During the present session I have introduced the following public bills:

H.R. 12082, to amend the Internal Revenue Code of 1954 to permit a taxpayer to claim a personal exemption for his spouse, where such spouse is a student being supported by the taxpayer, regardless of such spouse's gross income.

H.R. 12660, to amend the Economic Opportunity Act of 1964 to prohibit the use of funds appropriated to carry out that act to provide bail bonds.

H.R. 12661, to amend the Internal Revenue Code of 1954 to allow a deduction for premiums paid by individuals for certain retirement annuities.

H.R. 13420, to provide that the United States shall make no payments or contributions to the United Nations for furnishing assistance to Communist countries.

H.R. 14826, to provide for the establishment of a permanent commission on aircraft noise abatement problems.

H.R. 15056, to authorize the grade of brigadier general in the Medical Service Corps of the Regular Army. Passed House and Senate as H.R. 11488.

H.R. 15416, to amend the Internal Revenue Code of 1954 to provide that all transportation furnished to members of the Armed Forces traveling in uniform on official leave, furlough, or pass shall be exempt from the tax on transportation of persons by air.

H.R. 15431, to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder.

H.R. 16041, to limit the quantity of baseball and softball gloves and mitts which may be imported into the United States.

H.R. 16260, 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.

H.R. 16650, to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era.

H.R. 16783, to amend title II of the Social Security Act to provide cost-of-living increases in the benefits payable thereunder.

H.R. 16830, to amend the Internal Revenue Code of 1954 to exclude from income certain reimbursed moving expenses.

H.R. 17877, to permit teachers to deduct expenses incurred in furthering their education.

House Concurrent Resolution 613, to provide for an investigation of the administration of the Economic Opportunity Act of 1964.

Staff members in my district office at 8711 Cermak Road, North Riverside, telephone 447–2746, are available daily to assist constituents who have problems pending with the Veterans' Administration, the Immigration and Naturalization Service, Social Security, and other governmental agencies. Matters concerning legislation should be directed to my Washington office, room 2438, Rayburn House Office Building, in the Nation's Capital.

SENATE

THURSDAY, SEPTEMBER 22, 1966

The Senate met at 12 o'clock meridian, and was called to order by Hon. DANIEL K. INOUYE, a Senator from the State of Hawaii.

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

We are assured as we stand together in prayer at this moment that Thou art with us, O Lord, God Almighty. Scripture has told us where two or three are gathered together in Thy name, Thou art in the midst of them.

It is at this seat of government and with these U.S. Senators that we bow asking Thee to be with us as a nation. Quicken and inspire the minds that give leadership this day. Meet with the Mem-

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bers of the Senate in committee and in session.

Be with our President and his associates. Strengthen, with Thy love, all who serve in government.

Be with and protect the people on battlefields this day, in Thy eternal love. Bring peace to our world. We pray in Jesus' name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., September 22, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. DANIEL K. INOUYE, a Senator from the State of Hawaii, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. INOUYE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 21, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

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 a bill (H.R. 17787) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 146. An act for the relief of Delma S. Pozas;

S. 153. An act for the relief of Matsusuke Tengan;

S. 372. An act for the relief of Antonio Jesus Senra (Rodriguez) and his wife, Mercedes M. Miranda de Senra;

S. 766. An act for the relief of Lt. Samuel R. Rondberg, U.S. Army Reserve;

S. 993. An act for the relief of Dr. Oscar Valdes Cruz;

S. 1120. An act for the relief of Dr. Ortelio Rodriguez Perez;

S. 1449. An act for the relief of Dr. Enrique Ramon Ducassi;

S. 1571. An act for the relief of Kermit Wager, of Lebanon, S. Dak.;

S. 2177. An act for the relief of Donald I. Abbott;

S. 2265. An act for the relief of Konstadyna Byni Deliroglou and her minor child, Alexandros Deliroglou;

S. 2287. An act to authorize a 5-year hydrologic study and investigation of the Delmarva Peninsula;

S. 2348. An act for the relief of Dr. Jorge G. Echenique;

S. 2376. An act for the relief of Dr. Mario Presman;

S. 2447. An act for the relief of Dr. Arturo Victor Fajardo-Carpio;

S. 2529. An act for the relief of Dr. Felix Hurtado Perez;

S. 2555. An act for the relief of Kim Kin Soon;

S. 2626. An act for the relief of Dr. Argyrios A. Tsifutis;

S. 2789. An act for the relief of Dr. Alberto Oteiza;

S. 2796. An act for the relief of Dr. Rafael Anrrich;

S. 2800. An act for the relief of George Joseph Suad;

S. 2838. An act for the relief of Irene Snyder;

S. 2854. An act for the relief of Dr. Gottfried Kaestner;

S. 2865. An act for the relief of Dr. Alfredo Hernandez;

S. 2869. An act for the relief of Dr. Jose Enrique Diaz;

S. 2945. An act for the relief of Dr. Jaime E. Condom Valera;

S. 2946. An act for the relief of Dr. Mario v. Machado Espinosa;

S. 2973. An act to permit Edward C. Bower to serve as a director of the Virgin Islands National Bank prior to his obtaining U.S. citizenship;

S. 3189. An act for the relief of Dr. Alonso Portuondo;

S. 3272. An act for the relief of Dr. Jacobo Albo Maya;

S. 3510. An act to authorize the Secretary of the Interior to study the feasibility and desirability of a Connecticut River National Recreation Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes; and

H.R. 9976. An act to amend the act of September 2, 1964.

HOUSE BILL REFERRED

The bill (H.R. 17787) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON TITLE I, PUBLIC LAW 480 AGREEMENTS

A letter from the Associate Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on title I, Public Law 480 agreements signed during July and August 1966 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORTS ON NUMBER OF OFFICERS ON DUTY WITH HEADQUARTERS, DEPARTMENT OF THE ARMY, AND ARMY GENERAL STAFF

A letter from the Secretary of the Army, transmitting, pursuant to law, reports on the number of officers on duty with Headquarters, Department of the Army, and Army General Staff, as of June 30, 1966 (with accompanying reports); to the Committee on Armed Services.

STATISTICAL SUPPLEMENT, STOCKPILE REPORT

A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a statistical supplement, stockpile report, for the 6-month period ended June 30, 1966 (with an accompanying report); to the Committee on Armed Services.

AMENDMENTS TO REGULATIONS GOVERNING STANDARDS FOR NUMBERING OF UNDOCUMENTED VESSELS

A letter from the Assistant Secretary of the Treasury, transmitting, pursuant to law, amendments to the regulations governing standards for numbering of undocumented vessels (with accompanying papers); to the Committee on Commerce.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements of Columbia River Federal Power System, fiscal year 1965, Departments of the Army and of the Interior (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the policy of leasing motor vehicles for use by Government contractors, Department of Defense, dated September, 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the maintenance of combat vehicles, Department of the Army, dated September, 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on potential savings through improvement in the management of materials handling equipment and commercial-design trucks, U.S. Marine Corps, Department of the Navy, dated September, 1966 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF PUBLIC BUILDINGS ACT OF 1959

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation

to amend the Public Buildings Act of 1959, as amended (with an accompanying paper); to the Committee on Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HILL, from the Committee on Appropriations, with amendments:

H.R. 14745. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1967, and for other purposes (Rept. No. 1631).

By Mr. TALMADGE, from the Committee on Agriculture and Forestry, without amendment:

H.R. 15510. An act to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to hold prepayments made to the Secretary by insured loan borrowers and transmit them to the holder of the note in installments as they become due (Rept. No. 1633).

By Mr. JORDAN of North Carolina, from the Committee on Agriculture and Forestry, with amendments:

H.R. 15662. An act to amend the Federal Seed Act (53 Stat. 1275), as amended (Rept. No. 1632).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 2513. A bill for the relief of Dr. Anselmo S. Alvarez-Gomez (Rept. No. 1645);

S. 2543. A bill for the relief of Dr. Maria Yolanda Rafaela Miranda y Monteagudo (Rept. No. 1646);

S. 2587. A bill for the relief of Dr. Hilda W. Perez de Gonzalez (Rept. No. 1647);

S. 2754. A bill for the relief of Dr. Julio Valdes-Rodriguez (Rept. No. 1648);

S. 2757. A bill for the relief of Dr. Alberto Fernandez-Bravo y Amat (Rept. No. 1649);

S. 2762. A bill for the relief of Dr. Rafael Jacinto Nobo y Pividal (Rafael Nobo) (Rept. No. 1650);

S. 2763. A bill for the relief of Dr. Marcial Alfredo Marti Prieto (Alfredo Marti) (Rept. No. 1651);

S. 3016. A bill for the relief of Dr. Hector Jesus Sanchez-Hernandez (Rept. No. 1636);

S. 3300. A bill for the relief of Setsuko Wilson (nee Hiranaka) (Rept. No. 1637); and

S. 3566. A bill for the relief of Wen Shi Yu (Rept. No. 1639).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 2040. A bill for the relief of Dr. Dean H. Gosselin (Rept. No. 1638);

S. 2467. A bill to effect entry of a minor child adopted by a U.S. citizen (Rept. No. 1640);

S. 3209. A bill for the relief of Zopia Zych (Rept. No. 1641); and

S. 3358. A bill for the relief of Theodora Toya (Lambrini) Bezates (Rept. No. 1642).

By Mr. McCLELLAN, from the Committee on the Judiciary, without amendment:

S. 3353. A bill to amend the Trading With the Enemy Act to provide for the transfer of three paintings to the Federal Republic of Germany in trust for the Weimar Museum (Rept. No. 1635).

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

H.R. 5912. An act for the relief of the estates of certain former members of the U.S. Navy Band (Rept. No. 1634).

By Mr. SCOTT, from the Committee on the Judiciary, without amendment:

H.R. 11253. An act to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania (Rept. No. 1652).

By Mr. SMATHERS, from the Committee on the Judiciary without amendment:

H.R. 7546. An act for the relief of Gilmour C. MacDonald, Colonel, U.S. Air Force (retired) (Rept. No. 1653).

By Mr. FONG, from the Committee on the Judiciary, without amendment:

S. 2462. A bill for the relief of Arturo D. Lagasca, Jr. (Rept. No. 1644).

By Mr. TYDINGS, from the Committee on the Judiciary, with amendments:

H.R. 1665. An act to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment in special jurisdictional cases, and for other purposes (Rept. No. 1643).

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. CARLSON:

S. 3854. A bill to provide for the issuance of a special postage stamp in commemoration of Dr. William C. Menninger for his pioneering work in the field of mental health; to the Committee on Post Office and Civil Service.

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

By Mr. BREWSTER:

S. 3855. A bill for the relief of John S. Attinello; to the Committee on the Judiciary.

By Mr. KENNEDY of Massachusetts:

S. 3856. A bill to amend title VII of the Housing and Urban Development Act of 1965 to authorize financial assistance for the provision of street lighting facilities in aid of the prevention or reduction of crime; to the Committee on Banking and Currency.

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

By Mr. JAVITS (for himself, Mr. MORSE, Mr. BENNETT, Mr. BREWSTER, Mr. BURDICK, Mr. DOMINICK, Mr. DOUGLAS, Mr. FANNIN, Mr. FONG, Mr. KUCHEL, Mr. MILLER, Mr. MONRONEY, Mr. MOSS, Mr. MURPHY, Mr. PROUTY, Mr. SALTONSTALL, Mr. SCOTT, and Mr. THURMOND):

S.J. Res. 195. Joint resolution to direct the Secretary of Labor to study the operations and adequacy of the emergency labor disputes provisions of the Labor-Management Relations Act and the Railway Labor Act and to make appropriate recommendations for improvements in such laws; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above joint resolution, which appear under a separate heading.)

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on the Judiciary was authorized to meet during the session of the Senate today.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

ISSUANCE OF COMMEMORATIVE STAMP IN HONOR OF THE LATE DR. WILLIAM C. MENNINGER

Mr. CARLSON. Mr. President, today I am introducing a bill to authorize the Postmaster General to issue a commemorative stamp in honor of the late Dr. William C. Menninger.

It is probable that no one in history has done more for the mentally ill.

In coordinating work with his brother, Karl, and other members of the Menninger family, he made the Menninger Clinic at Topeka, Kans., a worldwide mecca for mental health.

The Menninger Foundation was started as a clinic in 1919. Dr. Will, as he was affectionately called, joined the staff in 1925. He became medical director of the clinic in 1930, and president of the foundation in 1957.

During my service as Governor of Kansas, it was my honor and privilege to have his very fine cooperation with me and the Kansas Legislature to improve our mental hospitals.

Through this cooperation, aided specifically by his intelligent and professional counsel and guidance, Kansas became recognized as the No. 1 State in the treatment of the mentally ill.

Generations produce their great and outstanding leaders in various professions and in various walks of life.

I sincerely believe that William C. Menninger, doctor, psychiatrist, author, and a fine citizen, will be recorded by history as one of the great.

It is my hope that we may honor him with the issuance of a commemorative stamp.

I offer a bill, for introduction and appropriate reference, and ask that a copy of the bill be printed as a part of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3854) to provide for the issuance of a special postage stamp in commemoration of Dr. William C. Menninger for his pioneering work in the field of mental health, introduced by Mr. CARLSON, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 3854

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue a special postage stamp commemorating the life of doctor William C. Menninger, internationally known for his pioneering work and achievements in the treatment of mental illness.

SEC. 2. Such postage stamp shall be issued in such denomination and for such period as the Postmaster General may determine.

FEDERAL ASSISTANCE TO COMMUNITIES FOR THE INSTALLATION OF STREET LIGHTING FACILITIES

Mr. KENNEDY of Massachusetts. Mr. President, we are all justifiably proud of the many freedoms that are part of our national heritage. Yet no freedom is more basic than freedom from fear and no human need is more elemental than personal security. And we must face the unfortunate fact that today this freedom is threatened by the rising rate of violent crime in our country.

As the incidence of murder, rape, armed robbery, theft, burglary and assault and battery increase, the reaction of the American public is plain to see. Women are reluctant to walk many of our streets alone even during daylight hours; people become apprehensive about their personal safety and the security of their possessions even within their own homes.

The problems of crime have become so massive and the impact so overpowering that there is an understandable tendency for the individual to feel helpless in the face of it.

It is true that there are no easy answers to our crime problem. Right now our National Crime Commission is working on a long-range program to deal with the many faces of crime. We must act on numerous fronts, to end the easy availability of firearms, to rehabilitate drug addicts, to assist local police departments, and to train more people for work in the criminal justice field.

These programs will take time. But there are other things which can be done immediately, and in which every citizen and community can have a role.

We are not helpless. There are positive and immediate measures which can be taken by communities and citizens to help combat crime. I would like to comment briefly about a few of these and offer one proposal for Federal assistance in this area.

STREET LIGHTING

William Shakespeare accurately described light and vice as deadly enemies. Stated another way, in the words of J. Edgar Hoover:

> It is axiomatic that darkness is an ally to crime. The thief, the arsonist, the rapist, the peeping Tom, and all other perverse individuals often depend on darkness to cloak their misdeeds and conceal their identities.

An examination of statistical studies on the relationship between lighting and the rate of crime clearly indicate the validity of these observations. A 1965 Library of Congress study found that "12 times as many crimes of violence are committed at night as in the daytime," and most of these in dimly lit areas. Similar studies indicate that well-lighted streets, on the other hand, not only reduce major crimes but also cut down the number of highway accidents. In Gary, Ind., during a 2-year period following the installation of 5,000 new lights, a tabulation of reported crimes showed that the number of criminal assaults reported declined more than 70 percent and robberies decreased more than 60 percent. The decrease occurred in spite of a 27 percent increase in population during the corresponding period. In 1957, New York City officials inaugurated an extensive street lighting program in a 111-block area in 5 of the most crime-ridden precincts. During the following 2 years the incidence of murder, assault, and rape dropped 49 percent and juvenile complaints declined 30 percent. Boston, Cleveland, Indianapolis, and other cities reported similar beneficial results from increased street lighting.

It would seem at first blush as if something so simple and remediable as better public lighting could hardly be a major weapon against crime. And, of course, it is not a complete answer. The effect of better lighting in certain areas may only cause criminals to shift their activities elsewhere, without reducing the overall incidence of crime. But I tend to believe that better street lighting can deter crime and reduce opportunities for criminal activities, opportunities which once forgone may never reoccur. Moreover, I strongly believe that the heightened sense of safety and security that the individual citizen experiences when he walks at night on well-lighted streets or in public parks is itself worth the cost of such improved lighting.

I have discussed this matter with high officials at the Department of Housing and Urban Development. As a result of these discussions and the statistical evidence before us, I am of the opinion that a concerted program to improve public lighting facilities in our communities could make a substantial contribution to our war on crime. Many of our communities do not now have adequate street lighting. A 1963 study by the Edison Electric Institute estimated that not more than 15 percent of the downtown streets in our Nation are adequately lighted and less than 1 percent of the streets in our residential areas meet the minimum lighting standards set by the American Standards Association.

I am informed, however, that the cost of adequate lighting is too great for many communities, because of the many pressing demands upon their limited financial resources and that a concerted effort to improve public lighting will require some form of earmarked Federal financial assistance.

For that reason, I offer at this time for appropriate reference a bill to amend title VII of the Housing and Urban Development Act of 1965 to provide financial assistance to communities for the installation of street lighting facilities in aid of the prevention or reduction of crime. Title VII presently provides an authorization of $2 million a year for water and sewer facilities; $50 million a year for neighborhood facilities and $25 million a year for advance acquisition of land for each fiscal year prior to July 1, 1969. Under my amendment, an additional $5 million would be authorized for each such fiscal year for grants under this section on two-thirds to one-third matching basis or three-fourths to one-fourth if the project is located in a redevelopment area.

I am hopeful that making Federal funds available specifically for this purpose will provide the needed incentives to mobilize communities to improve public lighting and that such improvements will help to enlarge our basic right to freedom from fear. Such money would be well spent. As one police chief put it:

> A good street light is as valuable as a good policeman and a lot cheaper.

CRIME STOP

Better street lighting is one immediate and constructive step that our communities can take to fight crime. Still another is citizen support and participation in the process of crime detection. Such programs already exist in several cities of our country.

On April 13, 1964, the city of Chicago launched Operation Crime Stop, a model program that emphasizes the responsibilities of individual citizens in the prevention of crime. The program is keyed to a card which reminds individuals that the Chicago police need the eyes and ears of private citizens. The card provides a central number to be called in the event that suspicious persons or happenings occur within the sight or hearing of the citizen. It also reminds the crime-stop participant of the information that the police need in order to assure the most effective police response.

As of July 5, 1966, after slightly more than 2 years of operation, some 6,433 offenders had been arrested by police as the result of crime-stop calls. Similar programs in cities throughout the country would do much to prevent crime and renew an awareness that crime prevention is not solely the responsibility of the police. Such programs should also go a long way to overcome the much-publicized belief, which I think is unfounded, that American citizens no longer wish to involve themselves with the safety of others. I urge other communities to follow Chicago's lead.

INFORMATIONAL MATERIAL

Similarly, in the specific areas of burglary and car theft, the city of Oakland, Calif., and the Federal Bureau of Investigation, respectively, have prepared informational materials designed to acquaint citizens with the extent of these crimes and the kinds of preventive measures which can and should be taken.

The Oakland material is entitled "Burglary Prevention" and provides a detailed explanation of the city's burglary security ordinance as well as pointing out minimum security requirements.

The FBI material entitled "The Car Theft Problem—How You Can Help Beat It" reveals that more than 1,000 cars valued at close to $1 million are stolen in the United States each day. The discussion provided in these materials discloses steps to be taken by private owners and dealers to discourage thefts and avoid the purchasing of stolen vehicles. Information materials such as these can play a most important role in the prevention of crime. I believe that most of our citizens are concerned with the personal security of others as well as

their own security and want to contribute to effective law enforcement. In many instances they are unaware of substantive areas of contribution and appropriate channels of communication. Instructional materials such as these can make our citizens aware of how they can contribute and advise them of proper avenues of communication; they should be widely promulgated by local authorities. I ask unanimous consent that copies of these materials be inserted in the RECORD at the end of my remarks.

The effect that a concentrated effort against crime can have is indicated by the results obtained in New York following an intensive campaign to reduce crime in the city's subways:

Following the inauguration of the anti-crime program, total crimes reported decreased 34.1 percent and total felony crimes were reduced by 54.3 percent in 1965–66. Total arrests decreased by 37 percent while total complaints were reduced by 82.1 percent.

In summary, Mr. President, while the crime problem we face is serious the situation is far from hopeless. The results that have been obtained when specific problems have been recognized and remedial measures have been implemented are encouraging. They demonstrate that the problems of crime are not incapable of being solved but that their solution does demand the efforts of all. The assistance of individual citizens through programs such as crime stop is invaluable. Adequate lighting and informational programs at the community level are essential and must be adapted to particular local needs.

There is no simple answer to our crime problem. But constructive action on the local level of government and by the individual citizen can be effective in our fight against crime.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the material will be printed in the RECORD.

The bill (S. 3856) to amend title VII of the Housing and Urban Development Act of 1965 to authorize financial assistance for the provision of street lighting facilities in aid of the prevention or reduction of crime, introduced by Mr. KENNEDY of Massachusetts, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The material presented by Mr. KENNEDY of Massachusetts is as follows:

[Police Department, city of Chicago]

OPERATION CRIME STOP PROGRESS REPORT

Four-hundred and nine offenders were apprehended and arrested as the result of the many citizen Operation Crime Stop calls to police during the period between April 27 and June 15th, Acting Superintendent James B. Conlisk announced today.

The Acting Superintendent, who discussed the latest Operation Crime Stop report with newsmen at his Tuesday morning press conference, said the offenders were arrested for crimes ranging from auto theft to rape.

The latest report, he continued, brings the total of arrests up to 6,433 since the Operation Crime Stop campaign was launched April 13, 1964. Operation Crime Stop, a citizen-police cooperative program, was inaugurated to enlist more citizen support in the prevention of crime.

Acting Superintendent Conlisk said citizens called PO 5–1313, to report suspicious persons or activities in their neighborhoods, about crimes they witnessed, or apprehended offenders following crimes (although not recommended by the police department), and turned the offenders over to police.

The following cases illustrate some of the ways citizens aided police recently:

First District (Central Station)—A citizen who witnessed an offender take the contents of the cash drawer in a store on West Van Buren Street on April 28th, chased the offender and detained him until officers from the 1st District arrived on the scene.

Second District (Wabash Avenue)—An alert housewife who observed three youths leaving a neighbor's apartment on June 8th, was able to furnish police with descriptions of the boys when she learned the apartment had been burglarized. Through one of the boys, who she recognized as living in the neighborhood, 2nd District beat officers were able to find the boy's companions.

Third District (Grand Crossing)—A man living on E. 64th Street called police upon observing a group of teenage boys shooting a gun in the air. Beat officers investigated the report and arrested the boy having the weapon. The gun was later found to have been stolen in a burglary.

Another area citizen notified police when she saw a man exposing himself on the elevated train platform at 63rd Street and Stoney Island Avenue on May 12th. The man was arrested for indecent exposure.

Sixth District (Gresham Station)—A citizen who observed a 6th District officer being assaulted on the street by two youths on May 18th, went to the officer's aid and helped him subdue the offenders. He later went to court and testified as a witness to the assault. Another resident of the 6th District called police to report two taverns who were selling liquor to minors on May 4th. Her information and assistance resulted in the arrest of two offenders.

Ninth District (Deering Station)—A citizen riding home on a southside bus on June 11th, saw a man grab the purse of a woman and run off the vehicle. He immediately chased the offender, caught and held him for 9th District beat officers.

Tenth District (Marquette Station)—Two citizens of the 10th District aided police in May. One citizen called police when he observed three youths tearing the shingles off a nearby roof; while the second man notified police when he saw two youths forcing open the window of a restaurant on 42nd Pl. Responding police units from the 10th District caught the boys burglarizing the premises.

Nineteenth District (Town Hall)—An alert housewife living in the Town Hall District gave information to police regarding a couple who mistreated their child on May 12th. The couple was arrested for cruelty to a child. Another citizen who witnessed a strong-arm robbery in Riverview Park on May 28th, furnished police with information that led to the arrest of two men for the crime.

Twentieth District (Foster Avenue)—An area citizen who witnessed a woman shoplifting merchandise from a Northside department store on June 8th, promptly called police. Responding officers were able to apprehend the offender before she could leave the premises.

Twenty-first District (Prairie Avenue)—Information furnished by an area resident on June 4th, resulted in the apprehension of a burglar by officers of the 21st District. The resident further cooperated by identifying the man who she had observed fleeing from the scene of the burglary on South Kimbark Avenue. Several items, taken in the burglary, were found in the offender's possession when arrested.

Acting Superintendent Conlisk said the department now has 701,892 "Crime Stopper" members who have pledged their support to the campaign. He also said that some 41 cities throughout the country are either studying our program, or have adopted a similar Operation Crime Stop program, to date.

CITY OF CHICAGO
DEPARTMENT OF POLICE,
Chicago, Ill.

The Chicago Police Department's "Operation Crime-Stop" is now in its 3rd year of operations. Please see the materials attached for details and results of the program.

The objectives of "Operation Crime-Stop" are simple. The theory reverts back to the days when the duties of peace officers were performed on a voluntary basis by individual citizens as a part of their mutual protection and community survival activities.

To date, we are proud to say that we have over 800,000 citizens pledged to "Operation Crime-Stop" in Chicago alone. We hope to increase this to over a million by the end of the year.

If your organization has not already joined "Operation Crime-Stop," would you favor us by agreeing to permit your personnel to be enrolled in this campaign?

The basic concept of "Operation Crime-Stop" is citizen "self-help". If your organization is interested in decreasing crime in the City of Chicago and if you desire to prove your willingness to help, please send the attached request for the number of cards and posters you can utilize for your personnel.

We would like to take this opportunity to also invite your organization to tour our Department, either by Self-Tour for small groups under 15 or group tours for over 15 persons, or guided tours.

Thanks for your cooperation with the Chicago Police Department.

Sincerely,

O. W. WILSON,
Superintendent of Police.

OPERATION CRIME-STOP

LEND US YOUR EYES AND EARS

Help stamp out crime by reporting suspicious persons or happenings in the neighborhoods where you live, work, or visit.

Become an active member of Operation Crime-Stop. Call PO 5–1313 when something seems suspicious. Important—act fast.

Your help today could save your family and neighbors from being tomorrow's crime victims.

Help the police help you . . . . by calling PO 5–1313 (no charge) at the first sign of possible trouble.

O. W. WILSON,
Superintendent of Police, Chicago Police Department.

How to help specifically? See reverse side.

[Reverse side]

This information is important to the police when you report suspicious persons or happenings:

Address of the incident.

Number of individuals involved.

Description of scene and suspects (age, height, weight, complexion, clothing, etc.).

License number of any cars used.

It is preferable that you identify yourself when calling, but if you wish to remain anonymous, your call will still be accepted.

Call PO 5–1313.

Issued by City of Chicago, Department of Police.

O. W. WILSON,
Superintendent.
RICHARD J. DALEY,
Mayor.

To: Director Mel Mawrence, Public Information Division, Chicago Police Department, 1121 South State Street, Chicago, Ill. 60605

AGREEMENT TO JOIN "OPERATION CRIME-STOP"

The undersigned organization agrees to pledge assistance to Chicago police in their "Operation Crime-Stop" campaign.

We can distribute ------ crime-stop cards to our employees and can use ------ number of posters for our bulletin boards.

We understand that this will not commit our organization to any agreement other than to permit our employees voluntarily to carry Crime-Stop materials and to call Chicago Police Department's emergency number PO 5-1313 in the event they see or suspect that a crime is in or around their place of work or home.

(Signature and title) *(Firm name)*

(Address) *(Telephone)*

THE CAR THEFT PROBLEM—HOW YOU CAN HELP BEAT IT

(By J. Edgar Hoover, Director, Federal Bureau of Investigation, U.S. Department of Justice)

More than 1,000 cars valued at close to $1 million will be stolen in the United States today!

Probably 900 of them will be recovered before a month is over. Many of them will be damaged, some virtually destroyed. Others will have been stripped of valuable parts and accessories.

WHO WILL STEAL THEM?

About 620 of the 1,000 will be stolen by youngsters under age 18. Close to 30,000 persons under age 16 were arrested for stealing cars in 1962.

Another 250 of these cars will be stolen by individuals between the ages of 18 and 25. Auto theft is mainly a crime of youth.

WHERE WILL THEFTS OCCUR?

Slightly more than 500 of the 1,000 thefts will be from the streets, parking lots, driveways and garages around dwellings. Another 350 will be taken from streets in the business areas and from shopping center parking lots. About 100 will be stolen from commercial parking facilities and 50 from used car lots. Approximately 700 of these crimes will take place during the hours of darkness.

HOW WILL THEY BE STOLEN?

About 420 will practically be given away by owners who leave the keys in the ignition or fail to turn the ignition to the locked position. Others will be stolen with the use of various types of jumpers, some will be started with so-called master keys and a number will be taken through the use of stolen or duplicate keys.

A professional thief in the Southwest told FBI Agents recently that he had very little trouble stealing cars fom used car lots since he always obtained a key first. Posing as a prospective customer, he examined late-model used cars until he found one with keys which still contained the small metal tab in the center showing the key code number. Noting this number, he would go to a new car dealer of the model he had selected and obtain a duplicate key. He then would return to the used car lot after it closed, unlock "his" car and drive off.

In other areas thieves have obtained keys to cars on used car lots from their ash trays, behind sun visors, under the dashboard and other "hiding" places used by the dealers to store a second set.

Some car thieves are expert confidence men, as illustrated by a theft from a used car dealer not far from Washington, D.C. A very articulate young man, he carefully examined several of the more expensive automobiles on the lot. He exuded confidence and greatly impressed the dealer, especially with his business card which disclosed he was a "Thaumaturge." Selecting a car, he made a $100 down payment and promised to return the next day with the balance. He did not return. The dealer's suspicions were confirmed when he consulted a dictionary and discovered that a "Thaumaturge" is a worker of miracles or wonders.

STEAL FOR THE RIDE

There are three basic reasons people steal cars—for profit, for use in connection with another crime, for transportation. The great majority of car thefts apparently are motivated by nothing more sinister than a desire for transportation on the part of the thief. Juvenile thefts especially fall into this category.

Two juveniles in a western state stole eight cars in two days en route to the West Coast. In each instance the owner had made the theft simple by leaving his keys in the ignition. When a car ran out of gas or otherwise caused trouble, the youths merely abandoned it and stole another.

Based on an auto theft survey conducted by the FBI, about five percent of the automobiles stolen in the United States are used in the commission of another crime or to effect escape. Another FBI survey relating to bank robberies revealed that more than 50 percent of the get-away cars had been stolen.

Thefts for profit account for about 10 percent of all such car stealing crimes. Most are stolen by individuals who strip off various items of equipment and then abandon the car. There are some professional gangs operating on a steal-to-strip basis. The great majority of professional car theft gangs, however, steal cars for resale. Stolen motor vehicles which have had their identification numbers changed or altered and have been fraudulently registered or titled have been traced by the FBI into all parts of the world. At the present time the FBI has some 65 professional car theft gangs under investigation.

WHAT YOU CAN DO

The used car dealer is a potential supplier and customer of the auto thief. Dealers should take precautions to guard against having their cars stolen and against buying stolen cars. *The dealer should also realize that professional car thieves may steal vehicle identification plates from his cars, and the title or registration documents covering them, for use on stolen automobiles.*

Following are some suggestions on how to prevent car thefts:

Key and ignition security:

Never "hide" an extra set of keys in car.

Always remove keys from car after each test drive.

Keep all keys in a central and constantly supervised area.

Remove the owner's manual and other items which readily reveal the car's key code.

Always insure that ignition switch is turned to locked position.

Customer security:

Forbid unaccompanied test drives by strangers.

Beware of glib talkers with small down payments and large promises.

Lot security:

Enclosed lots (fence, chains, posts set close together) with limited vehicular egress are preferable for security.

Lock gates and keep lot well lighted at night.

Hire a night watchman and arrange checks of lot by local law enforcement agency.

Lock all cars on lot.

Consider disabling cars by removal of ignition wire or other means especially if car thefts are prevalent in area.

Keep an accurate and current inventory.

Employee security:

Check background of all potential employees.

Train employees to be security-conscious.

Following are some suggestions on how to avoid buying a stolen car:

Car and document inspection:

Carefully check vehicle identification plates and/or motor numbers for any signs of alteration or replacement.

Compare identification numbers on vehicle with those on documents.

Check documents for authenticity and signs of alteration; be familiar with title and registration laws in states, especially those nearby.

Inspect vehicle for signs of forcible entry—broken glass, newly replaced glass, cuts in convertible tops.

Notice the keys to see if they are duplicates instead of originals and check to see if they will fully operate the ignition switch.

Check ignition switch and wiring for signs of tampering.

Examine the license plates for signs of recent switch.

Observe over-all appearance and contents of vehicle for indications that car came from an area other than that claimed or might belong to someone other than the person offering it for sale.

Has car been repainted recently or had new seat covers added?

Owner inspection:

Does he fit the car—does he appear too young or too poor to own the vehicle?

Is he overly anxious to sell?

What is his reason, if any, for wanting to sell?

Is he familiar with the car—ask him simple questions like the mileage, where and when it was last serviced (noting any service stickers on car), or casually inquire about nonexistent damage or equipment.

There were some 356,100 automobiles valued at approximately $308,000,000 stolen in 1962. This was an increase of nine per cent over 1961. Preliminary statistics for 1963 reveal an 11 per cent increase in automobile thefts over 1962.

The problem is growing. It confronts and affects every citizen. Used car dealers can and should be a strong force in the fight against the auto thief. By protecting your cars from theft, by guarding against buying a stolen car and by promptly reporting indications of crime to proper authorities you will be helping to overcome the automobile theft problem.

BURGLARY PREVENTION

OAKLAND CITY ORDINANCE

(Prepared by the Oakland Police Department)

The Oakland Police Department is vitally concerned with the great number of burglary offenses committed against commercial establishments. In addition to the monetary loss to the merchants, thousands of dollars are spent each year by the taxpayers in the apprehension, prosecution and confinement of burglars. Such burglary offenses are not always the work of the professional thief, but more often committed by the "opportunist" who seeks out a poorly secured building. Improved security measures will have a deterring effect on the would be thief.

This booklet is designed to assist you in the interpretation of the burglary security ordinance. It also defines minimum security requirements for unattended commercial premises. Particular reference is made to Sections 3-12.08 through 3-12.22 of the Oakland Municipal Code which specify requirements in greater detail.

The following are selected questions and answers pertaining to the ordinance. These are intended as a guide only. For more specific information please refer to the appropriate section in the ordinance.

The complete Burglary Security Ordinance is included in the booklet.

Which buildings are required to have security devices designed for bulglary prevention?

Most buildings used for commercial purposes must have certain security devices when the building is unattended and closed for business. Refer to Sec. 3–12.08 OMC.

Who is responsible for security of exterior openings in a commercial business establishment?

When a commercial business does not share the use of exterior openings with any other business establishment, the person operating the business will be responsible for compliance with security requirements. If two or more establishments share exterior openings, the owner of the building will be responsible. Sec. 3–12.10 OMC.

What is an "exterior opening"?

Exterior openings include, but are not necessarily limited to:

Exterior doors. Windows less than eighteen (18) feet above the ground.

Roof openings permitting access from the exterior, such as skylights, hatchways, air ducts, air vents, etc.

Must all exterior accessible openings be secured?

Yes. If the openings are not protected by approved photoelectric, ultrasonic, or other instrusion devices, they must be secured as specified in Sec. 3–12.13 OMC.

How do I secure my front door?

A single front door constructed of tempered glass, wood or metal doors with tempered glass panels, solid wood, or metal doors, must be equipped with approved "cylinder dead locks" as noted in Sec. 3–12.14 OMC.

On double front doors the "active leaf" shall be equipped with dead locks as prescribed in Sec. 3–12.14 OMC.

Front doors with glass panels not of tempered glass and doors having nontempered glass panes adjacent to the door frame must have a cylinder dead lock that can be opened only with a key on both the inside and outside. Additional requirements for certain front doors are listed in Sec. 3–12.14 OMC.

Where are "cylinder dead locks" and other hardware available?

These items can be purchased from locksmiths, hardware stores and building supply outlets.

Are there any special requirements regarding outside door hinges?

Yes. Hinges on outswinging doors shall have nonremovable hinge pins. Pins may be either welded, flanged or secured by a screw. The head of the hinge pin may be removed entirely in order to prevent removal from the exterior.

Must extra precautions be taken on rear, side and basement doors?

Generally, the security measures required for front doors also apply to other exterior doors. Section 3–12.15 OMC lists additional security requirements for certain doors.

What about roof doors?

Additional security is required for roof doors as noted in Sec. 3–12.16 OMC.

Do exterior windows pose any special problems?

Yes. Many entries by burglars are made through windows thought to be secure because they are latched. Windows on the rear or sides of the building require the installation of expanded metal screening, or iron bars ½ inch in diameter or 1 x ¼ inch flat steel bars spaced not more than 5 inches apart. Refer to Sec. 3–12.17 OMC for more detailed information.

What about transoms and other openings?

All exterior transoms exceeding 8" x 12" must be protected as outlined in Sec. 3–12.18 OMC. Requirements for securing roof openings such as skylights, hatchway openings, air ducts, and air vents are described in Section 3–12.19 OMC.

Must I purchase a burglar alarm?

Some buildings, because of age, physical condition, or the value of inventory, cannot be properly protected by locks, bars or screens, and may require the installation of a burglar alarm system. Alarm systems are furnished and installed by the local alarm companies listed in the telephone directory under "Burglar Alarms."

Who enforces the provisions of the ordinance?

The Oakland Police Department is responsible for the enforcement of the provisions of the code. Enforcement will be accomplished by means of a citation issued for violation of appropriate sections.

What is the citation method and how does it work?

If the merchant, after receiving written notice of existing deficiencies and given reasonable time for correction, fails to comply as required, he will receive a Notice to Appear in court. Pertinent information and evidence concerning violations is made available to the magistrate so that a proper decision can be rendered.

For additional information concerning the Burglary Security Ordinance, please call the Oakland Police Department Security Section at 273–3078.

Burglary can be prevented.

ORDINANCE No. 6899 C.M.S.

An ordinance amending section 1–4.01 of, and adding sections 3–12.08 through 3–12.22 to, the Oakland Municipal Code to require security devices in certain buildings used for business purposes, as a burglary prevention measure, and providing for the enforcement thereof by the citation method

Be it ordained by the Council of the City of Oakland as follows:

Section 1. Section 1–4.01 of the Oakland Municipal Code is hereby amended to read as follows:

Sec. 1–4.01. Citation of Violators by Arresting Officer. Application of this article. Any person who is arrested for a violation of Sections 3–9.06, 3–9.07, 3–9.16, 3–12.13 through 3–12.21, 4–5.011, 4–5.012, 5–3.07, 6–1.08, 6–2.56, 6–2.57 or 6–3.12 of the Oakland Municipal Code, and who is not immediately taken before a magistrate, shall be cited by the arresting officer in the manner set forth in this Article.

Section 2. Sections 3–12.08 through 3–12.22 are hereby added to the Oakland Municipal Code to read as follows:

Sec. 3–12.08. Commercial building. Security requirements. Exemptions. All existing and future buildings in the City of Oakland used by any person for the purpose of conducting, managing, or carrying on any business, with the exception of those hereinafter described, shall, when unattended, be so secured as to prevent unauthorized entry, in accordance with specifications for physical security of exterior accessible openings as provided in Sections 3–12.13 through 3–12.20 of this code. A commercial building shall be considered unattended when not occupied by a watchman, maintenance personnel, or other authorized persons during the period that premises are closed to business. Any building used for Group "A" or "B" public assembly occupancy, as defined in the Oakland Building Code, as well as those buildings used for Group "F" occupancy of the type requiring exit doors to be equipped with panic hardware locks, shall be exempt from the provisions hereof relating to exterior doors. Those buildings used for Group "C", "D", "H", "I", and "J" occupancy shall be exempt from the provisions hereof.

Sec. 3–12.09 Commercial building. Security enforcement. The Chief of Police is hereby authorized and directed to administer and enforce the provisions of this code relating to physical security requirements for commercial buildings in the City of Oakland.

Sec. 3–12.10 Commercial building. Responsibility for security. The responsibility for compliance with the specifications set forth in Sections 3–12.13 through 3–12.20 of this code concerning physical security for exterior openings of buildings used for business purposes and subject to the provisions hereof shall be as follows:

(a) When said commercial business does not share the use of exterior openings with any other business establishment, the person operating said business shall be responsible.

(b) When two or more businesses share the use of the same exterior openings of any commercial building, the owner of said building or his designated agent shall be responsible.

Sec. 3–12.11 Notification to persons responsible. The Chief of Police shall examine, or cause to be examined, the accessible exterior openings of every commercial building, or part thereof, which is subject to the provisions hereof. Where accessible exterior openings exist which do not meet the requirements hereof, notice in writing shall be given to the responsible person setting forth the deficiencies which are to be corrected, and the period within which same shall be completed. Failure to complete corrective action in the period of time specified shall result in enforcement action, as provided in Section 3–12.22.

Sec. 3–12.12 Right of entry. Members of the Police Department designated by the Chief of Police shall have the right, and they are hereby authorized and empowered, to enter or go upon or about any building or premises used for business purposes at any reasonable hour for the purpose of inspecting the physical security of exterior accessible openings of such building or premises, or for any other purposes consistent herewith. Such members shall be given prompt access to any area of the building or premises upon oral notification to the responsible person; provided, however, that, upon request, such member shall exhibit a badge or other evidence of his identity and authority. Refusal to admit such member for such purpose shall be a misdemeanor.

Sec. 3–12.13 Burglary prevention. Exterior accessible openings. All exterior accessible openings of any building used for business subject to the provisions hereof and which are not otherwise protected by approved photoelectric, ultrasonic, or other intrusion detection devices, shall be secured as herein, and in Sections 3–12.14 through 3–12.20 provided.

Provided, however, exit doors serving an occupant load of more than ten, and serving hazardous rooms or areas, shall be openable from the inside without the use of a key or any special knowledge or effort; and any additional locking device on such doors shall be required only after the approval of the Fire Marshal has been first had and obtained.

Sec. 3–12.14 Front doors. Security measures. Locking devices. All front doors of any building or premises used for business purposes and subject to the provisions hereof, shall comply with the following requirements:

(1) Tempered Glass Doors. Wood or metal doors with tempered glass panel, solid wood or metal doors shall be secured as follows:

(a) A single door shall be equipped with either double cylinder dead lock that unlocks from both the outside and inside by key, or with cylinder dead lock that unlocks from the outside by key and inside by turnpiece, handle, or knob, or with dead locking latch having guarded bolt that unlocks from the outside by key and inside by turnpiece, handle, or knob.

(b) On double doors the active leaf shall be equipped with a type of lock as prescribed for single doors above and the inactive leaf shall be equipped with flush bolts at head and foot.

(2) Doors with glass panels not of tempered glass and doors that have nontempered glass panels adjacent to the door frame, shall be secured as follows:

(a) A single door shall be equipped with cylinder dead lock that unlocks from both the outside and inside by a key.

(b) On double doors the active leaf shall be equipped with cylinder dead lock that unlocks from both the outside and inside by a key and the inactive leaf shall be equipped with flush bolts at head and foot.

(3) Rolling overhead doors that are not controlled or locked by electric power operation shall be equipped on the inside with the following protective devices:

(a) Manually operated doors shall be provided with slide bolts on the bottom bar.

(b) Chain operated doors shall be provided with a cast iron keeper and pin for securing the hand chain.

(c) Crank operated doors shall be provided with a means for securing the operating shaft.

(4) A solid overhead, swinging, sliding, or accordion garage-type door shall be secured with a cylinder lock, padlock, and/or metal slide bar, bolt, or crossbar on the inside when not otherwise controlled or locked by electric power operation. If padlock is used, it shall be of hardened steel shackle, with minimum four pin tumbler operation. In the event that this type of door provides the only entrance to the front of the building, a cylinder lock or padlock may be used on the outside.

(5) Metal accordion grate or grill-type doors shall be equipped with metal guide track at top and bottom and a cylinder lock and/or padlock with hardened steel shackle and minimum four pin tumbler operation.

(6) Outside hinges on all front doors shall be provided with nonremovable pins. Such hinge pins may be either welded, flanged, or secured by a screw.

Sec. 3–12.15 Rear side and basement doors. Security measures. Locking devices. All accessible rear, side and basement doors of any building or premises used for business purposes and subject to the provisions hereof, shall comply with the following requirements:

(1) All doors of the types listed below shall comply with the requirements of Section 3–12.14 for front doors.

(a) Tempered glass doors, wood or metal doors, with tempered glass panel.

(b) Metal doors.

(c) Rolling overhead doors.

(d) Solid overhead, swinging, sliding, or accordion garage-type doors.

(e) Metal accordion grate or grill-type doors.

(2) Doors with Glass panels and doors that have glass panels adjacent to the door frame shall be secured as follows:

(a) The glass panel shall be covered with iron bars of at least one-half inch round or 1" x ¼" flat steel material, spaced not more than 5" apart, or

(b) Iron or steel grills of at least ⅛" material of 2" mesh.

(c) If the door or glass panel barrier is on the outside, it shall be secured with rounded head flush bolt on the outside.

(d) If the remaining portion of a door panel exceeds 8" x 12" (excluding door frame), is of wood, but not of solid core construction, or is less than 1⅜" thick, said portion shall be covered on the inside with at least 16 gauge sheet steel attached with screws.

(3) Wood doors, not of solid core construction, or with panels therein less than 1⅜" thick, shall be covered on the inside with at least 16 gauge sheet steel attached with screws.

(4) Locking Devices:

(a) A single door shall be equipped with either double cylinder dead lock that unlocks from both the outside and inside by key, with cylinder dead lock that unlocks from the outside by key and inside by turnpiece, handle, or knob, with dead locking latch having guarded bolt that unlocks from outside by key and inside by turnpiece, handle, or knob, or with approved slide bar bolt, crossbar, and/or padlock. If padlock is used, it shall be of hardened steel shackle, with minimum four pin tumbler operation.

(b) On double doors the active leaf shall be equipped with a type of lock as prescribed for single doors above and the inactive leaf shall be equipped with flush bolts at head and foot.

(5) Outside hinges on all rear, side and basement doors shall be provided with nonremovable pins. Such hinge pins may be either welded, flanged, or secured by a screw.

Sec. 3–12.16 Roof doors. Security measures. Locking devices. All doors that exit onto the roof of any building or premises used for business purposes and subject to the provisions hereof shall comply with the following requirements:

(1) Doors with glass panels and any glass panels that are adjacent to the door frame shall be protected as follows:

(a) The glass portion shall be covered with iron or steel grills of at least ⅛" material of no more than 2" mesh securely fastened.

(b) If the door or glass panel barrier is on the outside, it shall be secured with rounded head flush bolt on the outside.

(c) If the remaining portion of a door panel exceeds 8" x 12" (excluding door frame) and is of wood, but not of solid core construction, or is less than 1⅜" thick, said portion shall be covered on the inside with at least 16 gauge sheet steel attached with screws.

(2) Wood Doors not of solid core construction, or with panels therein less than 1⅜" thick, shall be covered on the inside with at least 16 gauge sheet steel attached with screws.

(3) All roof doors shall be provided with a lock that will permit the door to be opened from the inside without the use of a key or any special knowledge or effort.

(4) Outside hinges on all roof doors shall be provided with nonremovable pins. Such hinge pins may be either welded, flanged, or secured by a screw.

Sec. 3–12.17 Glass windows. Side or rear, security measures. Locking devices. The Chief of Police shall, with the approval of the Fire Marshal, determine the extent of protection, if any, that will be required for accessible glass windows at the side or rear of building. Glass windows shall be deemed accessible if less than eighteen (18) feet above the ground. In making his determination he shall consider whether the side of the building fronts on a street, the area, location and contents thereof, and whether such openings are protected by intrusion detection devices.

(1) The Chief of Police may require side and rear glass windows with a pane exceeding ninety-six (96) square inches in area, with its smallest dimension exceeding 6", to be protected in the following manner:

(a) Inside or outside iron bars of at least one-inch round or 1" x ¼" flat steel material, spaced not more than 5" apart, securely fastened, or

(b) Inside or outside iron or steel grills of at least ⅛" material of 2" mesh securely fastened.

(c) If window barrier is on the outside, it shall be secured with rounded head flush bolt on the outside.

(2) If the side or rear window is of the type that can be opened, it shall, where applicable, be secured on the inside with either a glide bar, bolt, crossbar, and/or padlock with hardened steel shackle, and minimum four pin tumbler operation.

(3) Outside hinges on all side and rear glass windows shall be provided with nonremovable pins. Such hinge pins may be either welded, flanged, or secured by a screw.

Sec. 3–12.18 Accessible transoms, security measures. Locking devices. All exterior transoms exceeding 8"x12" on the side and rear of any building or premises used for business purposes and subject to the provisions hereof shall be protected by either of the following:

(1) Outside iron bars of at least ½" round or 1"x¼" flat steel material, spaced no more than 5" apart, or

(2) Outside iron or steel grills of at least ⅛" material but not more than 2" mesh.

(3) The window barrier shall be secured with rounded head flush bolts on the outside.

Sec. 3–12.19 Roof openings. Security measures. Locking devices.

A. All *glass skylights* on the roof of any building or premises used for business purposes and subject to the provisions hereof shall be provided with:

(1) Iron bars of at least ½" round or 1"x¼" flat steel material under the skylight and securely fastened, or

(2) A steel grill of at least ⅛" material of 2" mesh under the skylight and securely fastened.

B. All hatchway openings on the roof of any building or premises used for business purposes and subject to the provisions hereof shall be secured as follows:

(1) If the hatchway is of wooden material, it shall be covered on the inside with at least 16 gauge sheet steel attached with screws.

(2) The hatchway shall be secured from the inside with a slide bar or slide bolts. The use of crossbar or padlock is unauthorized, unless approved by the Fire Marshal.

(3) Outside hinges on all hatchway openings shall be provided with nonremovable pins. Such hinge pins may be either welded, flanged, or secured by a screw.

C. All air duct or air vent openings exceeding 8" x 12" on the roof of any building or premises used for business purposes and subject to the provisions hereof shall be secured by covering the same with either of the following:

(1) Iron bars of at least ½" round or 1" x ¼" flat steel material, spaced no more than 5" apart and securely fastened, or

(2) A steel grill of at least ⅛" material of 2" mesh and securely fastened.

(3) If the barrier is on the outside it shall be secured with rounded head flush bolts on the outside.

Sec. 3–12.20 Burglary prevention. Intrusion detection devices. If it is determined by the Chief of Police that the security measures and locking devices prescribed in sections 3–12.13 through 3–12.19 of this code do not adequately secure the building, he may require the installation and maintenance of photoelectric, ultrasonic, or other intrusion detection device. In exercising his discretion he shall consider whether:

(a) The business establishment has experienced a high incidence of burglary in the past, or

(b) The type of merchandise and its inventory value require added security protection.

If he determines that such installation is required, notice in writing shall be given to the responsible person setting forth the installation to be made and the period within which same shall be completed. Failure to complete the installation in the time specified shall result in enforcement action as provided in Section 3–12.22.

Sec. 3–12.21 Appeal from intrusion detection device requirements. Within ten (10) days after the receipt of written notice from the Chief of Police requiring the installation and maintenance of photoelectric, ultrasonic, or other intrusion detection device, the person responsible for compliance therewith may appeal in writing to the City Manager. In filing such notice of appeal, the appellant

shall set forth the specific grounds wherein it is claimed there was an error or abuse of discretion by the Chief of Police, or wherein the issuance of said written notice was not supported by proper evidence.

Upon receipt of such appeal, the City Manager shall set said matter for hearing and cause notice thereof to be given to the appellant and to the Chief of Police, or his authorized representative, not less than five (5) days prior to the date set for said hearing. At such hearing the appellant shall show cause on the grounds specified in the Notice of Appeal why the action excepted to should not be affirmed.

The City Manager may affirm, reverse, or modify the decision of the Chief of Police requiring the installation and maintenance of a photoelectric, ultrasonic, other intrusion detection device. If said decision is affirmed or modified by the City Manager, the appellant shall be given written notice thereof by the Chief of Police setting forth the installation to be made and the period of time within which the same shall be completed. In no event shall the period be less than that originally granted appellant. Failure to comply with the City Manager's decision shall be deemed a misdemeanor and enforceable as in Section 3–12.22 provided.

Provided, however, any person excepting to the decision of the City Manager may within ten (10) days after the date of such decision, appeal in writing to the City Council by filing with the City Clerk a written notice of appeal, setting forth the specific grounds thereof. The City Clerk shall forthwith set said matter for hearing before the City Council and cause notice thereof to be given to the appellant, to the City Manager, and to the Chief of Police, or his authorized representative, not less than five (5) days prior to date set for said hearing. As such hearing before the City Council the appellant shall show cause on the grounds specified in the notice of appeal why the decision of the City Manager should not be affirmed.

If the City Council affirms or modifies the decision of the City Manager the appellant shall be notified in writing by the Chief of Police of the installation to be made and the period of time within which the same shall be completed. In no event shall the new period of time be less than that granted originally. Failure to comply with the decision of the Council, on appeal, shall be deemed a misdemeanor and enforceable as provided in Section 3–12.22 provided.

Sec. 3–12.22 Enforcement by citation method. Sections 3–12.13 through 3–12.21 of this Article may be enforced by the method provided for in Article 4, Chapter 1, of this Code, and Sections 853.1 through 853.4 of the Penal Code of the State of California. Said Sections shall be enforced by members of the Police Department.

Section 2. This ordinance shall take effect six (6) months after its final passage.

Said Section 1–4.01 hereinabove amended now reads as follows: "Sec. 1–4.01 Citation of violators by arresting officer; application of this article. Any person who is arrested for a violation of sections 3–9.06, 3–9.07, 3–9.16, 4–5.011, 4–5.012, 5–3.07, 6–1.08, 6–2.56, 6–2.57 or 6–3.12 of the Oakland Municipal Code and who is not immediately taken before a magistrate shall be cited by the arresting officer in the manner set forth in this Article."

LEGISLATION TO REQUIRE THE ADMINISTRATION'S EMERGENCY STRIKE RECOMMENDATIONS

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a joint resolution to require the administration to make a complete study of existing emergency strike laws and to make recommendations to the Congress by January 15, 1967, for improvements in such laws.

Joining with me in cosponsoring this measure are 17 other Senators—Senators MORSE, BENNETT, BREWSTER, BURDICK, DOMINICK, DOUGLAS, FANNIN, FONG, KUCHEL, MILLER, MONRONEY, MOSS, MURPHY, PROUTY, SALTONSTALL, SCOTT, and THURMOND.

The text of the joint resolution is as follows:

The Secretary of Labor is hereby directed to commence immediately a complete study of the operations and adequacy of the emergency labor disputes provisions of the Railway Labor Act and the Labor-Management Relations Act, and to report to the Congress by January 15, 1967 the findings of such study together with appropriate recommendations for such amendments to the Railway Labor Act and the Labor-Management Relations Act as will provide improved permanent procedures for the settlement of emergency labor disputes.

This joint resolution provides that the Secretary of Labor shall study the existing laws we have concerning emergency labor disputes and give us, by January 15, 1967, the administration's recommendations for improving them.

The provisions of this joint resolution are identical to those contained in an amendment I proposed to the minimum wage bill, which the Senate adopted but which was lost in conference. The identical provisions were also offered by me as an amendment to the joint resolution on the recent airlines strike, and again they passed the Senate but died when the bill itself became unnecessary because of the strike settlement.

We in the Senate face a crucial issue before the people of the United States and we still have an opportunity—and a clear duty—to get this measure enacted into law this year on its own merits.

At least three aspects of our present situation are clear:

First, existing laws on emergency labor disputes are inadequate. Every American knows it, and the President has acknowledged it in his state of the Union message earlier this year, when he said:

I also intend to ask the Congress to consider measures which without improperly invading State and local authority will enable us effectively to deal with strikes which threaten irreparable damage to the national interest.

Second, unless we pass general laws to protect the public, we will inevitably end up, time after time, with crisis bills satisfying no one.

And third, it is crystal clear that the administration is presently caught in the paralysis of a dilemma of its own making, for the administration has acknowledged that we need new laws and yet is unwilling to proceed without a consensus. But it ought to be clear beyond question that a consensus as to this type of legislation is next to impossible—and in any event, this is one legislative area where the best bill is not always the most popular.

No legislation is perfect, and no legislation will ever have complete support from every segment of the American people. Yet on July 20, 1966, the President, in response to a question about his plans to recommend emergency strike legislation, told a press conference:

We are still searching for that answer and we would like to find a solution that could be embraced by the Administration, management and labor and the Congress. Up to this point we've not been very successful.

Surely it is no wonder that the promise of the state of the Union message has thus far gone unfulfilled, for if we must wait for that kind of consensus—a consensus not achieved even in much less controversial legislative fields—we may well wait forever.

We ask only for the administration's best judgment. That is all we need, but we need it now, not a year from now when we are faced with other crippling strikes and are forced again to play "hide and seek" with an administration unwilling to say what it wants or even whether it wants anything at all.

We in the Congress owe it to the American people to demand that the administration take a stand, one way or the other; and, to move deliberately to enact legislation to prevent a repetition of the sorry spectacle of last month. With much of the Nation's essential air transportation paralyzed, with Congress desperately seeking a solution, the administration was absolutely powerless under existing law and absolutely unwilling to ask for new laws and equally unwilling to say that it did not want new laws.

We need to avoid a repetition of the 1963 rail work rules bill and the 1966 airline strike bill by finding a general mechanism which can be invoked without resort to Congress each time the public health or safety is in danger. And we need to know where the administration stands and what it wants.

This joint resolution is in no sense buckpassing, for it is an affirmative assumption of responsibility by the Congress in an area where only the Congress can legislate. Yet there is no escaping the fact that the administration's views are important and we are entitled to have them.

All we ask is that the administration give us the benefit of its experience, its expertise, and its best judgment. With that as a starting point, I have no doubt that we can fashion sound legislation to protect the public interest when strikes or lockouts imperil the national health and safety.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 195) to direct the Secretary of Labor to study the operations and adequacy of the emergency labor disputes provisions of the Labor-Management Relations Act and the Railway Labor Act and to make appropriate recommendations for improvements in such laws; introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ADDITIONAL COSPONSORS OF RESOLUTION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the next printing of Senate Resolution 300 the

names of the Senator from Alaska [Mr. BARTLETT], the Senator from Louisiana [Mr. ELLENDER], the Senator from Ohio [Mr. YOUNG], and the Senator from South Carolina [Mr. RUSSELL] be added as cosponsors.

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

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 22, 1966, he presented to the President of the United States the following enrolled bills:

S. 146. An act for the relief of Delma S. Pozas;

S. 153. An act for the relief of Matsusuke Tengan;

S. 372. An act for the relief of Antonio Jesus Senra (Rodriguez) and his wife, Mercedes M. Miranda de Senra;

S. 766. An act for the relief of Lt. Samuel B. Rondberg, U.S. Army Reserve;

S. 993. An act for the relief of Dr. Oscar Valdes Cruz;

S. 1120. An act for the relief of Dr. Ortelio Rodriguez Perez;

S. 1449. An act for the relief of Dr. Enrique Ramon Ducassi;

S. 1474. An act to create a bipartisan commission to study Federal laws limiting political activity by officers and employees of Government;

S. 1571. An act for the relief of Kermit Wager, of Lebanon, S. Dak.;

S. 2177. An act for the relief of Donald I. Abbott;

S. 2265. An act for the relief of Konstadyna Byni Deliroglou and her minor child, Alexandros Deliroglou;

S. 2287. An act to authorize a 5-year hydrologic study and investigation of the Delmarva Peninsula;

S. 2348. An act for the relief of Dr. Jorge G. Echenique;

S. 2376. An act for the relief of Dr. Mario Presman;

S. 2447. An act for the relief of Dr. Arturo Victor Fajardo-Carpio;

S. 2529. An act for the relief of Dr. Felix Hurtado Perez;

S. 2555. An act for the relief of Kim Kin Soon;

S. 2626. An act for the relief of Dr. Argyrios A. Tsifutis;

S. 2789. An act for the relief of Dr. Alberto Oteiza;

S. 2796. An act for the relief of Dr. Rafael Anrrich;

S. 2800. An act for the relief of George Joseph Suad;

S. 2838. An act for the relief of Irene Snyder;

S. 2854. An act for the relief of Dr. Gottifried Kaestner;

S. 2865. An act for the relief of Dr. Alfredo Hernandez;

S. 2869. An act for the relief of Dr. Jose Enrique Diaz;

S. 2945. An act for the relief of Dr. Jaime E. Condom;

S. 2946. An act for the relief of Dr. Mario V. Machado;

S. 2973. An act to permit Edward C. Bower to serve as a director of the Virgin Islands National Bank prior to his obtaining U.S. citizenship;

S. 3189. An act for the relief of Dr. Alonso Portuondo;

S. 3261. An act to authorize the Secretary of the Interior to convey certain lands in the State of Maine to the Mount Desert Island Regional School District;

S. 3272. An act for the relief of Dr. Jacobo Albo Maya;

S. 3421. An act to authorize the Secretary of Agriculture to convey certain lands and improvements thereon to the University of Alaska; and

S. 3510. An act to authorize the Secretary of the Interior to study the feasibility and desirability of a Connecticut River National Recreational Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. ROBERTSON, from the Committee on Banking and Currency:

Eva B. Adams, of Nevada, to be Director of the Mint.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

DEPARTMENT OF JUSTICE

The Chief Clerk read the nomination of Frank A. Kaufman, of Maryland, to be U.S. district judge for the district of Maryland.

The nomination was confirmed.

The Chief Clerk read the nomination of Alexander Harvey II, of Maryland, to be U.S. district judge for the district of Maryland.

The nomination was confirmed.

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

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

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of bills on the calendar beginning with No. 1577, and that the remainder of the calendar be considered in sequence.

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

RESEARCH INTO SPINAL CORD INJURIES AND DISEASES

The Senate proceeded to consider the bill (H.R. 203) to amend title 38, United States Code, to set aside funds for research into spinal cord injuries and diseases which had been reported from the Committee on Labor and Public Welfare with an amendment to strike out all after the enacting clause and insert:

That section 216 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) For each fiscal year in the period beginning July 1, 1966, and ending June 30, 1972, the Administrator shall set aside not less than $100,000 of funds appropriated for medical research, authorized by section 4101 of this title, for the conduct of research into spinal cord injuries and diseases, and other disabilities that lead to paralysis of the lower extremities."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1610), explaining the purposes of the bill.

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

EXPLANATION OF THE BILL

The bill provides that funds appropriated for research in the Veterans' Administration shall have set aside in each fiscal year beginning on July 1, 1966, and ending June 30, 1972, a total of not less than $100,000 for research into spinal cord injuries and diseases and other diseases that lead to paralysis of the lower extremities.

This bill would accomplish this simple purpose stated in the paragraph above and would not cause any additional appropriation.

Section 216(a)(1) of title 38 specifically directs the Administrator to conduct research in the field of prosthetic appliances, prosthesis, and similar devices. The present research program in the Veterans' Administration directly related to spinal cord research alone approaches twice the amount set forth in this bill. Enactment of this bill will serve to focus attention on the needs of this particular group and will in no way, in the opinion of the committee, interfere with the research program of the Veterans' Administration.

This bill is intended to establish a minimum of expenditure for spinal cord research, and is in no way intended to set an upper limit on the amount of research done in this area.

EXTENSION OF PROVISIONS FOR TREBLE DAMAGE ACTIONS TO DIRECT LOAN AND INSURED LOAN CASES

The bill (H.R. 7850) to amend section 1822(a) of title 38, United States Code, to extend the provisions for treble-damage actions to direct loan and insured loan cases was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1612), explaining the purposes of the bill.

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

EXPLANATION OF THE BILL

Existing law (sec. 1822, title 38, United States Code) permits a veteran to institute action against any party who knowingly makes, effects, or participates in a sale of any property to a veteran in excess of the reasonable value as established by the Administrator where the property is guaranteed under the appropriate provisions of title 38. Damages are set at three times the amount of such excess consideration. The purpose of this bill is to extend the same protection to the veteran who obtains a direct or insured loan as is now provided to the veteran who has a guaranteed loan.

A House amendment to the bill would assure its applicability to direct loans to veterans covered by the Veterans' Readjustment Assistance Act of 1966.

The measure is supported by the Veterans' Administration which advises that it would not result in any increased cost.

DEDUCTION BY BROKERS OF CERTAIN COSTS AND EXPENSES FROM RENTAL COLLECTIONS ON PROPERTIES ACQUIRED UNDER THE VETERANS' LOAN PROGRAMS

The bill (H.R. 11927) to authorize the Administrator of Veterans' Affairs to permit deduction by brokers of certain costs and expenses from rental collections on properties acquired under the veterans' loan programs was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1613), explaining the purposes of the bill.

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

EXPLANATION OF THE BILL

This bill would give the Administrator of Veterans' Affairs authority to permit brokers to deduct from rental collections fees for services rendered and authorized expenses incurred in connection with the managing of Veterans' Administration-owned properties which had been acquired under the loan guarantee and direct loan programs. Under existing practice where a property is taken over by the Veterans' Administration, the property is given to a broker for management. This broker collects rent and performs the necessary property maintenance or arranges for such maintenance. Payment is presently made under regular vouchering procedures, and in some instances brokers advance maintenance expenses such as decorating, grass cutting, snow removal, etc. In other instances brokers with small accounts cannot feasibly make such advances.

The Veterans' Administration desires to permit payment for these services out of rents received from these properties and proposed that such action be taken to the Comptroller General, who advised that such a procedure was not authorized, while not questioning the desirability of the proposal.

The Veterans' Administration advises that enactment of this proposal will simplify procedures in financing and managing of the acquired properties, and will result in some savings of administrative costs.

FORT LYON VETERANS' HOSPITAL RESERVATION, COLO.

The bill (H.R. 12664) to retrocede to the State of Colorado exclusive jurisdiction held by the United States over the real property comprising the Fort Lyon Veterans' Hospital Reservation was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD, an excerpt from the report (No. 1614), explaining the purposes of the bill.

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

EXPLANATION OF THE BILL

Simply stated, the purpose of this bill is to retrocede to Colorado exclusive jurisdiction over the Fort Lyon, Colo., Veterans' Administration Reservation, and thereby facilitate the opportunity of the reservation residents to vote.

The Fort Lyon Veterans' Hospital is located in Bent County in Colorado, near the city of Las Animas. It is on a 618.2-acre Federal installation with approximately 1,150 persons of whom approximately 125 are resident employees of the Veterans' Administration. The United States has exclusive jurisdiction over the reservation, except for the service of civil and criminal processes.

The Department of Justice has advocated general legislation to take care of cases such as this. Places over which the United States has exclusive jurisdiction are not considered part of the State in which they are physically located. Only the States of California, West Virginia, Utah, and Nevada permit residents of such areas to qualify as voters. Since there is no general law on this subject, the Department of Justice and the Veterans' Administration have no objections to the enactment of this specific proposal.

CONVEYANCE OF CERTAIN REAL PROPERTY TO THE CITY OF BILOXI, MISS.

The bill (H.R. 13012) to provide for the conveyance of certain real property to the city of Biloxi, Miss., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1615), explaining the purposes of the bill.

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

EXPLANATION OF THE BILL

The bill authorizes the Administrator of Veterans' Affairs to convey to the city of Biloxi, Miss., without monetary consideration, all right, title, and interest of the United States to a tract of land, 75.82 acres, the same being a portion of the reservation of the Veterans' Administration Center and which is excess to the needs of the agency.

Section 2 of the bill provides that the deed of conveyance shall provide such additional terms and conditions as may be necessary to protect the interests of the United States.

In the early thirties, the city of Biloxi paid the acquisition cost of 709 acres of ground, a portion of which is now used for the Veterans' Administration Center. Since 1950 some 265 acres have been declared excess and transferred to the General Services Administration which subsequently transferred it to the Department of the Air Force for use by the adjoining Air Force base.

The Veterans' Administration interposes no objection to favorable action on this proposal.

There would be no additional expenditure of funds as the result of this legislation.

CONVEYANCE OF CERTAIN PROPERTY TO PINELLAS COUNTY, FLA.

The bill (H.R. 12352) authorizing the conveyance of certain property to Pinellas County, Fla., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1617), explaining the purposes of the bill.

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

PURPOSE

This bill would authorize the Administrator of General Services to convey approximately 370 acres of land which has been declared excess to the needs of the Veterans' Administration and surplus to the needs of the United States, situated in the State of Florida to the county of Pinellas, Fla., for park, recreational, health, or educational use. The bill further provides that the conveyance shall be made to the county without reimbursement because Pinellas County originally purchased the land and donated it to the Federal Government as a site for the Bay Pine Veterans' Adminstration Center.

The bill as amended by the House further provides that: (1) The county erect a suitable fence between the property conveyed by this measure and the Veterans' Administration property, (2) Pinellas County maintain an incinerator and sewage disposal plant on the property without cost to the Veterans' Center, (3) the GSA include such restrictions or reservations in the conveyance to insure that the property will not be used in any manner which would interfere with the care and treatment of patients in the VA Center, and (3) should the county fail to use the property for park, recreation, health, or educational purposes the land would revert to the United States.

Additional justification and explanation of the proposed legislation is found in House Report 1799, as follows:

"The bill proposes to authorize the Administrator of General Services to transfer to the county of Pinellas, Fla., without monetary consideration for park recreational health, or educational purposes, a tract of land of approximately 370 acres which is now a portion of the Veterans' Administration Center.

"In 1931 and 1932 approximately 831 acres of land in Pinellas County, Fla., was donated to the Veterans' Administration by Pinellas County and the city of St. Petersburg. The Veterans' Administration constructed a center on the land which now consists of 400 domiciliary and 652 hospital beds. Approximately 145 acres of upland and 225 acres of submerged land, all a part of said 831 acres, have been determined to be in excess of the needs of the Federal Government.

"A subcommittee of the Committee on Veterans' Affairs held hearings on July 8, 1966,

in St. Petersburg, Fla., and received extensive testimony from local citizens. From the evidence submitted, the committee believes that Pinellas County, Fla., has a plan for use of 370 excess acres for public purposes which will be of great benefit to the community. Since the land was given to the Federal Government without cost, the committee believes that portion which is excess to Federal needs should be returned so that the donors can dedicate it to public use.

"The bill provides that the deed of conveyance shall contain certain terms and conditions to protect the interests of the United States.

"There will be no appropriation necessary to carry out the provisions of this legislation."

REPLACEMENT OF THE 14TH STREET BRIDGE IN WASHINGTON, D.C.

The bill (H.R. 12119) to authorize the Commissioners of the District of Columbia to replace the existing 14th Street Bridge, also known as the Highway Bridge, across the Potomac River, and for other purposes was announced as next in order.

RECONSTRUCTION OF EXISTING 14TH STREET BRIDGE ACROSS THE POTOMAC RIVER—ORIGINALLY PROPOSED BY SENATOR RANDOLPH IN 1963

Mr. RANDOLPH. Mr. President, I am gratified that the able and distinguished chairman of the Committee on the District of Columbia [Mr. BIBLE] and his colleagues, have acted promptly and favorably on the bill (H.R. 12119) to provide for the construction of a new 14th Street bridge across the Potomac River.

As mentioned in the committee report, under "History of Legislation" on page 2, in 1963 I introduced S. 1748 for the purpose of replacing the superstructure and reconstructing the substructure of this important bridge. At that time, I said:

> It is increasingly evident that the authorization contained in the legislation of 1946 requires reappraisal if we are to meet the traffic demands for this area in the future. The lanes presently in use on the Southwest Freeway and the outbound lanes on 14th Street and 15th Street extended now carry an outbound traffic flow to the bridge crossing in excess of 6,600 vehicles during the p.m. peak hour. This exceeds the practicable capacity of the crossing, and it is evident that the problem will become increasingly severe when the Southwest Freeway is connected with the Center Leg and the remainder of the Inner Loop Freeway System.

That was 3 years ago, Mr. President, and the needs which were then evident are now even more pronounced.

Because of my keen interest in the efficiency of our roads systems and in meeting the needs of our citizens in the District of Columbia and its environs, it is a privilege to support this measure.

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

There being no objection, the bill (H.R. 12119) was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1620), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of H.R. 12119 is to authorize construction of a new six-lane bridge structure over the Potomac River at 14th Street to replace the present Old Highway Bridge. Further, the bill will authorize the building of necessary approaches and roads connecting the new bridge with streets, roads, and park roads in the District of Columbia and on the Virginia side of the river.

BACKGROUND

The present old bridge, a 2,234-foot pin-constructed span truss structure, was built in 1904 as a replacement for the Old Long Bridge of Civil War days. In 1946, some 52,000 vehicles per day crossed this bridge. Rapidly increasing traffic flow resulted that year in the Congress authorizing construction of two new bridges in the immediate vicinity of the Highway Bridge (Public Law 79–516, approved July 16, 1946, 60 Stat. 566). The first of these, the Rochambeau Memorial Bridge, was built in May 1950, to serve northbound traffic. The second span, the George Mason Memorial Bridge, was completed and opened in January 1962, to serve southbound traffic, resulting in the closing of the Old Highway Bridge at that time.

However, traffic to and from the expanding Virginia suburbs and increased travel generally, boosted the flow of vehicles by July 1964 to approximately 140,000 per day. This maximum traffic flow was experienced immediately prior to the opening of the Outer Circumferential Highway (Interstate Route 495) and the Anacostia Freeway (Interstate Route 295), both of which provided a bypass to the Highway Bridge crossing in the 14th Street corridor. However, by December 1965, the traffic flow on the 14th Street bridges, even with the two bypasses, had increased to 129,500 vehicles per day.

Presently, with the improvements of Interstate Route 95 in Virginia and the opening of portions of the Inner Loop in the District of Columbia currently underway, traffic continues to increase. District of Columbia Highway Department officials estimate that the 1980 peakload demands will exceed the capacity of both the Rochambeau and George Mason Bridges in the 14th Street corridor entrance to the city of Washington. Presently, Interstate Route 95 (Shirley Highway) is being widened from four lanes into an eight-lane facility, to provide for three lanes in each direction, plus two reversible lanes. Likewise, when the Southwest Freeway connections, now under construction, are completed, another estimated 9,000 additional vehicles per hour are expected to be funneled into the 14th Street corridor.

HISTORY OF LEGISLATION

In June 1963, legislation was introduced by Senator JENNINGS RANDOLPH of West Virginia (S. 1748), to authorize reconstruction of the substructure and to replace the superstructure of the Old Highway Bridge, thereby making available a third 14th Street span, the future need for which was foreseeable at that time.

Coincidentally, the District Highway Department believed that existing piers of the Old Highway Bridge could be used, requiring only new superstructure, the cost of which was estimated at between $3 and $5 million, and at least 90 percent of which was to be provided through Federal funds for interstate highway aid. However, the Congress failed to enact the legislation. Subsequently, in fiscal year 1965, the District Highway Department received $3,000 in its appropriation for the preparation of plans and specifications for a proposed replacement bridge at 14th Street.

BRIDGE CONSTRUCTION PLANS

Currently, the Department of Highways and Traffic is preparing plans for a new bridge, such action following discussions with officials of the Virginia Department of Highways, the U.S. Bureau of Public Roads, and other agencies. The two reversible lanes on Interstate Route 95 (Shirley Highway) are to terminate on the Virginia side of the proposed new bridge. Although the District of Columbia Highway Department thought several years ago that a new bridge superstructure could be erected on the old substructure, a more extensive exploration of the existing substructure, including borings, and tests of samples by the U.S. Bureau of Standards and the Forest Products Laboratory in Madison, Wis., convinced the Department that the condition of the substructure has deteriorated so extensively that it must be replaced. District Highway Department officials report that the existing pile system has lost strength, that there has been substantial settlement at the north abutment and at several piers, and that there exists detrimental scouring at four of the piers. They further point out that while the piers of the Rochambeau and George Mason Bridges are in line with one another, the piers of the existing 14th Street Bridge are not in this same line. As a result, they present a real hazard when an ice flow becomes lodged against these piers, obstructing the normal flow of the river.

Further, the District Highway Department has advised that very little saving of money would result from reconditioning the old structure, rather than replacing it entirely.

Therefore, your committee has concluded that complete replacement of existing piers would be the most practical procedure, and this legislation so provides.

In appearance, the new bridge will closely resemble the George Mason Memorial Bridge and the Rochambeau Bridge, and would be located between these two spans on the general alinement of the old bridge.

FOUR LANES FOR CONTINUING TRAFFIC FLOW

At public hearings held by the Subcommittee on Fiscal Affairs on August 2, 1966, the only opposition offered concerned not the bridge construction itself, but the number of traffic lanes to be required. The House, in passing this legislation, added to the basic authorization bill the requirement that the bridge be "at least six lanes."

Major opposition was offered by the National Park Service, Department of the Interior. Its officials urged the amendment of the bill to require that the bridge be built "not to exceed four lanes." The National Park Service contended that approaches on the District side for a six-lane bridge would require additional construction of reramping, would impinge on park lands there, and would further disrupt the setting of the Jefferson Memorial—"an important memorial in the heartland of our Nation's Capital."

Witnesses from the District government, the National Capital Planning Commission, and the National Park Service, plus written reports from the Virginia Highway Department, pointed up the President's Highway Policy Advisory Committee Agreement, signed March 31, 1966, concerning implementation of the freeway portion of a balanced transportation system in the District of Columbia. In this document the National Park Service, the Virginia Department of Highways, and the District of Columbia Department of Highways approved a four-lane bridge in its statement of agreement.

The District of Columbia government informed the committee that present traffic projections indicate that a four-lane bridge will carry the traffic load for the next 20

years. However, this committee is aware that the tremendous growth of the Washington metropolitan area has, in the past, exceeded timetable projections. Estimates for the future support continued expansion of the Virginia suburbs. Therefore, it was the considered judgment and strong feeling of your committee that a six-lane bridge should be constructed at this time, but actual traffic lanes be restricted to four. Such would not require excessive enlargement of present approaches on the District side adjacent to the Jefferson Memorial and its park lands. This decision will allow for future growth, permit obvious dollar savings, and provide additional traffic lanes, should they be necessary at an earlier time in the years ahead than now anticipated.

The committee's judgment is that the two outer lanes on the new bridge could be efficiently and properly used to accommodate disabled vehicles, detours during maintenance operations, as space for possible future rapid rail transit facilities (substructures could be built accordingly), and for snow-removal facilities. The latter use is deemed vital for the District's snow-fighting forces. The old 14th Street Bridge was used for snow dumping and provided a disposal point readily accessible to the snow-clogged downtown areas of the city. The outer two lanes could be constructed to permit snow to be dumped directly into the deep waters of the Potomac. At the same time, the configuration of the bridge and the presence of the Rochambeau and George Mason Memorial Bridges would permit regular travel during snow emergencies. Formerly, snow was dumped into the District sewer system, but its present capacity will not absorb snow dumped into manholes.

Since the committee was persuaded by the District Commissioners that only four lanes of the structure will be required for vehicular travel for the present and immediately foreseeable future, the committee hereby approves and requests that the two outer lanes of the bridge be used as detours during maintenances, accommodation of disabled vehicles, snow-removal facilities, and space for future rapid rail transit purposes, is required. Your committee believes that its decision is a proper one and can be fully supported.

COST OF THE PROJECT

Estimates place the cost of the new six-lane bridge at $9.4 million, plus an additional $2.4 million for approaches at the District of Columbia end. Ninety percent of this cost will be paid by Federal funds authorized by the Federal Highway Act, and the remaining 10 percent from District of Columbia funds. Actually, some $1 million of this total amount has already been made available to the District government for this project.

CLARIFICATION OF THE CORPORATE NAME OF GEORGETOWN UNIVERSITY

The bill (H.R. 16863) to amend the act of June 10, 1844, in order to clarify the corporate name of Georgetown University, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1621), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to amend the corporate charter granted to Georgetown University by the act of June 10, 1844, under the name and style of "President and Directors of Georgetown College" (6 Stat. 912) and to permit the university otherwise to conform to, and to exercise the powers granted generally to nonprofit corporations under the terms of the District of Columbia Nonprofit Corporation Act of August 6, 1962 (76 Stat. 271).

A hearing was held before the Subcommittee on Judiciary on September 1, 1966.

LEGISLATIVE HISTORY

The first act of Congress relating to the "college of Georgetown" was the act of March 1, 1815 (6 Stat. 152), in which act the Congress authorized the institution to admit to academic honors students of the institution or other persons meriting such recognition to any degree in the arts, sciences, and liberal professions to which persons are usually admitted in other colleges and universities of the United States and to issue diplomas and certificates testifying to the admission to such degrees.

The institution thereafter continued to operate without any corporate charter until 1844. In that year, a special act to incorporate "Georgetown College" was enacted (act of June 10, 1844, 6 Stat. 912) under the name, style, and title of "the President and Directors of Georgetown College." This act established the institution as a corporate entity with perpetual succession.

The act empowered the directors of the institution to conduct the college; to receive gifts of financial support and real property to be held and used, including income therefrom, for the benefit of the college; to sue and be sued in courts of law; and to do and to transact all and every business touching or concerning the institution. The institution, which has become commonly known as Georgetown University, has grown through the years and has become one of the great educational institutions in the United States.

ANALYSIS OF THE BILL

Section 1 of the bill amends the act of June 10, 1844 (6 Stat. 912), an act to incorporate Georgetown College in the District of Columbia, so as to permit the use of the commonly used name of "Georgetown University" for the institution.

Section 2 of the bill, in addition to conforming the change of name as in section 1, amends the above act by substituting a new proviso clause at the end of section 2 of the act of June 10, 1844, which new proviso authorizes the university to encumber its property, borrow money and secure payment of the same by lien on the realty or the personal property of the corporation; and to lease, construct, or reconstruct any and all buildings incident to the needs and purposes of the university. The proviso likewise enables the university to exercise the powers provided in the District of Columbia Nonprofit Corporation Act (act of August 6, 1962, 76 Stat. 265) insofar as such powers are not conferred by the act of June 10, 1844, as amended by this proposed legislation and to the extent they are not inconsistent with the powers provided in the pending bill.

Section 103 of the Nonprofit Corporation Act of 1962 (D.C. Code, title 29, sec. 1099d) provides the option to the existing nonprofit corporations to elect to accept the provisions of that act. That act was not made applicable to existing nonprofit corporations unless they desired to avail themselves of the provisions of that act.

Thus, section 2 of the pending legislation is a legislative expression of the intent that Georgetown University, as a corporation chartered under special act of Congress, elects to have the provisions of the Nonprofit Corporation Act of 1962, applicable to it to the extent that the provisions of that act are not presently conferred on the institution and to the extent that such powers are not otherwise inconsistent with the corporate charter of the institution as provided in the charter as amended by this legislation.

Section 3 of the bill amends section 3 of the act of June 10, 1844, preserving the reference to the original incorporators and providing that the powers of the corporation shall be exercised by a board of directors whose number and manner of election or appointment shall be provided in the bylaws of the corporation, which bylaws may be amended from time to time as may be provided therein. The provisions for the powers of the board of directors, their election and appointment, term of service, under bylaws of the corporation, are essentially in harmony with similar provisions of the Nonprofit Corporation Act of 1962.

Section 4 of the bill provides that nothing in the amendments proposed shall affect any obligations of Georgetown University or its rights or privileges except as provided in the amendments carried in the bill.

CONCLUSION

Your committee has not been apprised of any objections to the enactment of H.R. 16863 and hence urges its adoption.

BOARD OF TRUSTEES OF TRINITY COLLEGE OF WASHINGTON, D.C.

The bill (H.R. 16940) to amend the provisions of the act of April 8, 1935, relating to the board of trustees of Trinity College of Washington, D.C., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1622), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to amend the corporate charter granted to Trinity College of Washington, in the District of Columbia, by the act of April 8, 1935 (49 Stat. 113) in two respects:

(1) To permit members of the laity to be elected to the board of trustees of the college.

(2) To permit the board members to elect their successors.

Presently, except for the archbishop of Baltimore, who is an ex officio member of the board, all the trustees must be members of the religious congregation of the Sisters of Notre Dame de Namur, and their successors are elected by said religious congregation.

This bill was introduced at the request of the Sisters of Notre Dame de Namur who stated that the proposed changes in the Charter Act will offer an opportunity to enhance the prestige of the college and to stimulate interest in the welfare of the college among members of the laity, and that these proposals have the approval of the Archbishop of Washington.

The proposed bill would amend section 2 of the charter act, so that the board of trustees shall elect their successors in accordance with the bylaws; and the requirement that all trustees be members of the religious congregation of the Sisters of Notre Dame de Namur would be eliminated.

BACKGROUND

Trinity College of Washington, D.C., was founded in 1897 for the higher education of women and is located in the Northeast section of the city. Since its foundation, Trinity College has greatly developed not only with regard to size but in respect to academic achievement. Its studies are mostly undergraduate, with some summer courses leading to the master of arts degree. With a

student body of over 900 drawn from all parts of the country, it has become a national rather than a purely local institution.

In 1917, Trinity College was recognized by inclusion on the Association of American Universities list; in 1921 it was accredited by the regional agency. Trinity College received a place on the American Council of Education's list of American colleges prepared for foreign institutions in 1921. The college was accredited in 1904 by the board of regents of the University of New York State, and in 1914 it was ranked among colleges of the first grade by the United States Bureau of Education; it is also a member of the Association of American Col-Colleges, an institutional member of the leges, an institutional member of the American Council on Education, and a member of the American Association of University Women.

Trinity College at first was organized and operated under certificate of charter filed in 1897 pursuant to the incorporation provisions of subchapter 1 of chapter 18 of the Code of Laws of the District of Columbia. These articles of incorporation in time became obsolete, inadequate, and unworkable. Consequently, Congress, upon request of the college, enacted the special Charter Act of 1935, referred to above.

The 1935 Act was similar to legislation enacted for the benefit of Catholic, Columbus, Georgetown, George Washington, and National Universities—all in the District of Columbia. The Act provided for an increase in the number of trustees and a designation of who shall be members of the board of trustees of Trinity College; by whom the board of trustees shall be elected and who shall be eligible for membership on the board of trustees and the powers and duties of the board of trustees; that Trinity College may enter into affiliated agreements with other institutions of learning; that Trinity College may receive, invest, and administer endowments and gifts of money and property absolute or subject to payments by way of annuities; that Trinity College shall adopt a common seal by which all acts of Trinity College shall be authenticated; and that no institution of learning hereafter incorporated in the District of Columbia shall use the words in whole or in part "Trinity College."

CONCLUSION

Your committee has not been apprised of any objections to the enactment of H.R. 16940 and hence urges its adoption.

AMENDMENT OF THE CHARTER OF SOUTHEASTERN UNIVERSITY OF THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H.R. 16608) to amend the Charter of Southeastern University of the District of Columbia which had been reported from the Committee on the District of Columbia with an amendment, on page 2, line 4, after the word "trustees.", to strike out "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." " and insert "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; except that (1) in expanding or reducing the number of trustees under this Act, the board of trustees shall have the authority to fix or adjust the terms of office of such additional or remaining trustees, as the case may be, so that the terms of office of not more than one-third of the trustees shall expire annually; and (2) 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." ".

SOUTHEASTERN UNIVERSITY CHARTER AMENDMENT RECOGNIZES SERVICE OF INSTITUTION

Mr. RANDOLPH. Mr. President, I use this opportunity to thank my two colleagues, the distinguished Senator from New Hampshire [Mr. McINTYRE], chairman of the subcommittee which handled this measure, and the Senator from Nevada, my helpful friend, chairman of the Committee on the District of Columbia [Mr. BIBLE], for their aid in acting affirmatively on this legislation.

I further want to thank both of them for accepting the amendment I offered, which provides Southeastern University with needed administrative flexibility if it wishes to expand or reduce the membership of its board of trustees.

Briefly, I point out to the membership of this body the fact that my long relationship with the faculty, the administration, and the students of Southeastern University has given me an awareness of the aims and aspirations of the institution and those associated with it.

Southeastern University fulfills a need for the citizens of our Nation's Capital which is not fully met by the other fine educational institutions in this area. Offering, as it does, evening classes in the field of business, and welcoming to its courses students who might not otherwise obtain academic guidance, it has, since its inception in 1937, become a necessary adjunct to the other educational facilities in Washington.

Mr. John Maurer, its president, Mr. Royal E. Jackson, chairman of its board of trustees, and an excellent faculty are interested in improving the excellence of Southeastern. It was for this reason that they came to me last month and asked that I cosponsor the pending legislation.

I was delighted to do so, for I believe in the people and the principles of this university. I had authored the original Federal charter bill when serving in the House of Representatives.

Mr. President, I wanted the RECORD to show, today, my support for Southeastern and for legislation—such as this measure, H.R. 16608—which will assist the university administration in its pursuit of academic superiority. I congratulate the institution on its progress, and I wish it well as it continues its vital work.

In their fine treatment of this bill, Senator McINTYRE and Senator BIBLE have again shown their interest in the citizens of the District of Columbia, and in the general field of education for all American citizens. For there are many residents of other States and localities who attend Southeastern, and I am certain that future generations of Southeastern students will be appreciative of our action here today.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1623), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to amend the Charter Act of Southeastern University of the District of Columbia (50 Stat. 697, approved Aug. 19, 1937), in two respects:

(1) To increase the number of members of the board of trustees of the university corporation to a maximum of 30 (in place of the present maximum of 21), and to provide for the election of the members of the board of trustees by the board itself, rather than by the board of managers of the Young Men's Christian Association of the city of Washington.

(2) To provide that the income of the university corporation shall be applied to the maintenance, endowment, promotion, and advancement only of the university, rather than be divided between the university and the Young Men's Christian Association of the city of Washington, as provided by the charter.

BACKGROUND

The Young Men's Christian Association of Metropolitan Washington has sponsored an educational institution in the District of Columbia since 1879. Its present institution of higher education is Southeastern University, chartered by act of Congress in 1937 (50 Stat. 697) as the Southeastern University of the Young Men's Christian Association of the District of Columbia.

The present enrollment of Southeastern University is approximately 1,100 students. The courses offered are all evening classes and include business courses leading to the bachelor of science degree in the major fields of accounting, business management, financial administration, insurance and law, marketing, real estate, and transportation. It also offers an associate of science degree in practically the same fields, as well as associate of science in public accountancy as a special field.

Although licensed by the Board of Education of the District of Columbia, Southeastern University presently lacks the highest regional accreditation, and consequently its college credits are not freely transferable to other recognized universities. It is essential that such accreditation be obtained to permit continued growth of the university and to enable it to meet the increasing demands of a growing population in the Metropolitan Washington area. Authorities in the field of higher education advised the board of trustees of the university that its charter should be amended to meet the criteria for highest regional accreditation and to advance the eligibility of the university for such benefits as may be available to it under the several acts of Congress relating to higher education. The legislation introduced and referred to your committee was designed to meet these recommendations.

On September 1, 1966, the Subcommittee on the Judiciary held public hearings on H.R. 16608 and a companion bill, S. 3706. The latter was introduced in the Senate by Senator Jennings Randolph, of West Virginia.

At the hearings, Senator Randolph presented testimony to the subcommittee supporting H.R. 16608, as amended. A representative of the District Commissioners appeared at the hearings and testified in support of the proposed legislation.

PROVISIONS OF THE BILL

The proposed changes to the university's charter provided by the bill are as follows:

Section 1 of H.R. 16608 rewrites section 3 of the Charter Act so as to place the management of the university in the hands of a board of trustees of not less than 9 nor more than 30 in number, one-third of whom shall be graduates of the university, of qualifications prescribed by the board, nominated by the alumni, and elected by the board.

Present law provides for a board of trustees of not less than 9 nor more than 21 members, who shall be graduates of the university, and of qualifications prescribed by the board of managers of the Y.M.C.A. of Washington.

An amendment proposed by your committee would provide that, in changing the number of trustees, the board of trustees shall have the authority to adjust the terms of office of the additional or remaining trustees, so that the terms of not more than one-third of the trustees shall expire each year.

Present law provides for a board of trustees of not less than 9 nor more than 21 members, who shall be graduates of the university, and of qualifications prescribed by the board of managers of the Y.M.C.A. of Washington.

The aim of the reported bill in this regard is to help establish the university and its board of trustees as an independent, self-governing entity.

Section 2 of H.R. 16608 amend section 6 of the Charter Act to give the university exclusive control of its own funds, by providing that the income of the university corporation shall be applied to the maintenance, endowment, promotion, and advancement only of the university, rather than be divided between the university and the Young Men's Christian Association of the city of Washington, as is provided by the charter.

Both these changes, in the judgment of the board directors of the Y.M.C.A. and in the judgment of the board of trustees of the university, are essential to the continued growth and improvement of the university and to its higher education.

The executive committee of the board of directors of the Y.M.C.A. (which is empowered to act for the board of directors of the Y.M.C.A.) on July 18, 1966, approved the proposed changes in the charter. Similar action approving the changes was taken by the board of trustees of the university prior to the action of the board of directors.

CONCLUSION

The parties in interest being in agreement as to the wisdom and necessity of the adoption of the charter amendments herein proposed, your committee recommends the approval of the reported bill.

The Board of Commissioners of the District of Columbia have advised the committee that it has no objection thereto, and your committee has been informed of no opposition to its passage.

DEPENDENCY AND INDEMNITY COMPENSATION FOR CERTAIN SERVICE-CONNECTED DEATHS

The bill (H.R. 5852) to amend title 38, of the United States Code with respect to the basis on which certain dependency and indemnity compensated will be computed, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1624), explaining the purposes of the bill.

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

EXPLANATION OF THE BILL

Public Law 881 of the 84th Congress, effective January 1, 1957, authorized the payment of dependency and indemnity compensation to widows for the service-connected deaths of their husbands. The rate of compensation is now set at $120 a month plus 12 percent of the base pay of the deceased serviceman. When the rates of pay for members of the Armed Forces are raised there is a corresponding increase in the rates of dependency and indemnity compensation.

Generally speaking, the compensation is based on the rank held by the serviceman on January 1, 1957, or on the date of death (whichever is later), where the person died in service. With respect to a person who did not die in service, base pay is determined as of January 1, 1957, or date of death (whichever is later), for the rank and years of service of the veteran at time of his last discharge or release under conditions other than dishonorable. However, if an individual has satisfactorily served on active duty for a period of 6 months or more in a higher rank, and was serving in such higher rank 120 days before death in the service, or before discharge or release, the base pay of the higher rank may be used.

This bill would eliminate the requirement with respect to the 120-day limitation of serving in a higher rank. Thus, as an example if a man had served satisfactorily for 6 months in the rank of lieutenant colonel during a period of war but later reverted to the lower rank of major, his widow would be eligible for compensation at the rate of pay for that lieutenant colonel. This treatment would apply equally to widows of individuals who died in the service and those who did not die in the service.

While the Veterans' Administration is unable to estimate the cost of this proposal, it is believed to be small.

BILL PASSED OVER

The bill (H.R. 6958) to amend the Internal Revenue Code of 1954 to promote savings under the Internal Revenue Service's automatic data processing system was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

BEIRUT AGREEMENT IMPLEMENTATION LEGISLATION

The joint resolution (H.J. Res. 688) to give effect to the agreement for facilitating the international circulation of visual and auditory materials of an educational, scientific, and cultural character approved at Beirut in 1948 was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1626), explaining the purposes of the joint resolution.

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

PURPOSE

The purpose of House Joint Resolution 688 is to implement the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character, which is known as the Beirut agreement. To accomplish this purpose the joint resolution would authorize the President to designate a Federal agency or agencies to assume the responsibility of carrying out the provisions of the agreement. It would add a new headnote and a new item to part 6 of schedule 8 of the Tariff Schedules of the United States to permit duty-free treatment for articles that are determined to be visual or auditory materials of an educational, scientific, or cultural character within the meaning of the agreement.

GENERAL STATEMENT

Background

The Beirut agreement, which would be implemented by House Joint Resolution 688, was proposed by the U.S. delegation to the General Conference of the United Nations Educational, Scientific, and Cultural Organization (UNESCO) at its third session in Beirut, Lebanon, in 1948. The agreement was there developed and adopted in its present textual form and recommended to members states for signature. A copy of the agreement is contained in the appendix to this report.

Your committee is advised that at the present time the agreement is formally operational in 17 countries. In accordance with its terms, the agreement entered into force on August 12, 1954, when the 10th country commenced formal participation.

The U.S. Senate gave advice and consent to ratification of the Beirut agreement on May 26, 1960. Deposit of ratification is being withheld pending enactment of this implementing legislation. Upon enactment of this legislation it is expected that the instrument of ratification will be deposited with the United Nations.

SUMMARY OF THE RESOLUTION'S PROVISIONS

House Joint Resolution 688, as passed by the House and agreed to by your committee, would authorize the President to designate a Federal agency or agencies to carry out the provisions of the Beirut Agreement. Your committee was advised that it is expected that the President will designate the U.S. Information Agency to perform this function. This work consists of certifying that outgoing materials are educational, scientific, or cultural, in order to facilitate their free importation into a foreign country. It also involves review of certificates accompanying incoming materials to verify that these materials are educational, scientific, or cultural, entitled to duty-free treatment in this country. The measure would also authorize other agencies of the Federal Government to furnish facilities and personnel for the purpose of assisting the agency or agencies designated by the President in carrying out the provisions of the agreement.

Section 3(a) of the resolution would add a new provision, item 870.30, to the special classification provisions of the Tariff Schedules of the United States to permit free entry for certain specified types of articles which are determined to be visual or auditory materials in accordance with a new headnote to be inserted after the heading to schedule 8, part 6, of the Tariff Schedules. The proposed new headnotes specifies that no article shall be exempted from duty under item 870.30 unless a Federal agency or agencies designated by the President determines that such article is visual or auditory material of an educational, scientific, or cultural character within the meaning of the agreement.

The visual and auditory articles, which would be permitted to enter free of duty under the conditions and limitations specified in the new headnote are developed photographic film, including motion picture film on which pictures or sound and pictures

have been recorded; photographic slides; transparencies; sound recordings; recorded video tape; models; charts; maps; globes; and posters. Materials moving from commercial consignors to commercial consignees are within the reach of the agreement.

The bill also provides that whenever the President determines that there is or may be profitmaking exhibition or use of the articles entered under the agreement which interferes significantly (or threatens to interfere significantly) with domestic production of similar articles, he may prescribe regulations imposing restrictions on the entry of such foreign articles to insure that they will be exhibited or used only for non-profitmaking purposes. This language is consistent with paragraph 5 or article IV of the agreement which permits the issuance of such regulations by the contracting states. The word "significantly" as used in the amendment does not contemplate a mathematical test or measure of interference as a guide to the President, but the term means more than de minimus and certainly less than serious injury.

EFFECTIVE DATE

Section 3(b) of the resolution provides that the amendments to the Tariff Schedules of the United States are to apply with respect to articles entered, or withdrawn from warehouse, for consumption, on or after a date to be proclaimed by the President, which date is to be within a period of 6 months beginning the day after the day on which the U.S. instrument of acceptance of the agreement is deposited with the Secretary General of the United Nations.

BENEFITS TO THE UNITED STATES

The United States produces more educational audiovisual materials than all other countries combined and is the world's major exporter of such materials. Your committee is informed that enactment of this legislation will have the effect of increasing the institutional use abroad of certified American educational films and comparable materials.

In addition, your committee believes that full participation of the United States in the agreement, as would be provided for in this legislation, would promote better understanding of the United States in other countries and would increase mutual understanding between the people of the United States and those of other nations.

JOINT RESOLUTION PASSED OVER

The joint resolution (S.J. Res. 76) to provide for the formulation, adoption, administration, and periodic updating of a long-range land use plan for the U.S. Capitol Grounds and contiguous related and influencing areas was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The joint resolution will be passed over.

W. P. FRANKLIN LOCK AND CONTROL STRUCTURE, FLORIDA

The Senate proceeded to consider the bill (S. 212) to designate a navigation lock and flood control structure of the central and southern Florida flood control project in the State of Florida as the W. P. Franklin lock and control structure which had been reported from the Committee on Public Works with amendments, on page 1, line 7, after the name "Franklin", to strike out "lock and control structure" and insert "Lock and Control Structure"; and on page 2, line 4, after the name "Franklin", to strike out "lock and control structure" and insert "Lock and Control Structure"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the navigation lock and water control structure known as structure 79 of the central and southern Florida flood control project located on the Caloosahatchee River in the State of Florida shall hereafter be known as the W. P. Franklin lock and control structure, and any law, regulation, document, or record of the United States in which such structure is designated or referred to shall be held to refer to such structure under and by the name of the W. P. Franklin lock and control structure.

The amendments were agreed to.

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

The title was amended, so as to read: "A bill to designate a navigation lock and flood control structure of the central and southern Florida flood control project in the State of Florida as the W. P. Franklin lock and control structure."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1628), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of S. 212 is to designate the navigation lock and water-control structure known as structure 79 of the central and southern Florida flood-control project located on the Caloosahatchee River in the State of Florida, as the W. P. Franklin Lock and Control Structure.

GENERAL STATEMENT

The central and southern Florida flood control project, authorized by the Flood Control Act of June 30, 1948 (Public Law 858, 80th Cong.), and subsequent acts of Congress, covers an area of some 16,400 square miles, lying generally within the southeasterly 18 counties of Florida. It is comprised of the upper St. Johns River Basin, located in the northeastern section of the project; the Kissimmee River Basin, in the central section; the Lake Okeechobee-Everglades area in the central and southwestern section; and the east coast-Everglades area in the southeastern section.

The project is for flood relief and water conservation. It will provide water control and protection from the recurrence of devastating floodwaters from the Everglades and local sources, for the highly developed urban area along the lower east coast of Florida, and for the productive agricultural areas around Lake Okeechobee (including the towns around the lake), in the upper St. Johns and Kissimmee River Basins, and in south Dade County.

Construction of the project was begun in January 1950. To date, more than 550 miles of levees (including most of the east coast protective levee) have been completed to intermediate or final grades and accepted for operation and maintenance by the central and Southern Florida Flood Control District. A number of important canals and control structures and large pumping stations have also been completed and turned over to local interests for operation and maintenance. The project as a whole was about 50 percent completed on September 1, 1966.

Mr. W. P. Franklin is a retired prominent businessman and pioneer resident of the Fort Myers, Fla., area. He is 95 years of age, and throughout his lifetime has been an ardent advocate of water resources development in central and southern Florida. He was the leading force behind the development of the Okeechobee Waterway, on which the lock and dam to be named in his honor are located.

COST TO THE UNITED STATES IF LEGISLATION IS ENACTED

Enactment of this legislation will not result in any cost to the Federal Government.

COMMITTEE VIEWS

The committee believes it fitting and proper to name the navigation lock and water control structure located on the Caloosahatchee River, Fla., and known as structure 79 of the central and southern Florida flood control project, in honor of Mr. W. P. Franklin, whose untiring efforts have resulted in great contributions to the national welfare and to his beloved State of Florida. Accordingly, enactment of S. 212 is recommended.

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

INVESTMENT CREDIT SUSPENSION WOULD TAKE $100 MILLION ANNUALLY OUT OF POCKETS OF FARMERS

Mr. PROXMIRE. Mr. President, I have spoken out a number of times against the proposal to suspend the 7-percent investment tax credit, which has contributed so much to the expansion of our Nation's industry and the creation of new jobs.

Today, I say to my colleagues that this proposal, if adopted, would seriously hurt another vital sector of our economy—the farmers.

The distinguished senior Senator from Kansas [Mr. CARLSON] has made this point, and made it very well. I should like to emphasize it.

I have opposed suspending the investment credit because it would not do the job which we need to have done right now. We have inflationary pressures today which could be met by the proper administration action. The results of lifting the investment credit would not show up for at least a year and probably longer. No one can say what the state of the economy will be a year from now.

This argument carries even more validity when applied to agriculture. Farmers are making plans for next year. One thing already is clear: They will be called upon for more food production and, at the same time, be denied the incentives that would make higher output possible.

Our immense surpluses of a decade ago no longer exist.

Milk production has declined to 1939 levels. Dairymen still are finding other, more profitable careers and selling their herds. Young people in my State of Wisconsin are less and less willing to risk the hazards of going into dairy farming.

The corn crop this year is estimated at about one-half billion bushels below expected demand. Wheat will be short by 100 million or more bushels. Soybeans, the new wonder crop, will fail to

meet demand levels by almost 100 million bushels.

The carryover of all these grains needed to guard against crop failure is far below minimums established by the Department of Agriculture.

The fact that our food production will be as high as it is is good news in one way. Just a few weeks ago, there were growing fears of a general crop failure across the country. Only desperately needed late summer rains averted this catastrophe.

Our own population keeps gaining at the rate of one person every 12 seconds. We are committed to help feed the starving millions of Africa, Asia, and Latin America.

How can we do this?

Only the increased efficiency of the farmer has permitted him to produce the abundance we have enjoyed. But he has been receiving less and less of the national dollar for his efforts.

Now, we are asking the farmer to renew his efforts. We are asking him to increase his wheat acreage and to grow more soybeans. In 1967, croplands totaling about 10 percent of this year's acreage are expected to be called out of reserve.

Mr. President, the American farmer can supply us with the foods we need in abundance. He can go a long way on the path toward feeding millions in other countries.

But the only way he can succeed is by continuing his efficiency. This means he has to have new equipment and machinery. And he has to have the incentive.

A dairy farmer needs an absolute minimum of $50,000 worth of plant and equipment to begin to realize a decent return. To make what we could call a "good" living, he must have $100,000 or more invested.

In the face of this, it seems sheer folly to call upon the farmer for more food and simultaneously revoke the means which would help him produce it.

Food price rises have featured the inflation. This action will aggravate the food shortage and shove food prices up more. What a way to fight inflation.

The Agriculture Department has estimated that in its first year of existence, the investment tax credit meant returns to agriculture of about $85 million. That figure probably would be closer to $100 million today.

This is less than one-tenth of 1 percent of the funds asked by the administration for the fiscal 1967 budget. It is slightly more than one-third the amount the Senate voted to help develop a supersonic plane to reduce the flying time of the jet set from New York to Paris.

The income of most American farmers is so low that they pay no income tax, but many of the Nation's most productive, efficient, and hard-working farmers pay an income tax and need this credit badly. To them this $100 million is a big and critical amount. To take it away now would be a serious injustice.

While we vote millions to benefit two or three aircraft companies, and a handful of fat cat air travelers, we are being asked to penalize the farmer for trying to grow more food for the millions.

LET US AID POPE PAUL AND CONSTANTLY SEEK AN END TO BLOODSHED IN VIETNAM

Mr. YOUNG of Ohio. Mr. President, within the last few days two of the most respected and trusted world leaders have made important statements regarding the urgent necessity for further attempts to bring about an end to the miserable civil war in Vietnam.

Pope Paul VI, in a dramatic appeal for peace, called for an end to the war in Vietnam before it is too late. He again urged a meeting of all responsible parties to negotiate a settlement. He warned that the bloody and difficult war raging in Vietnam threatens a more extensive and more disastrous calamity that could endanger the entire human race. This great man of peace called on men "to lay down their arms at least before it becomes too late to do so because of the mounting pressure of events."

United Nations Secretary General U Thant, in his blunt annual report to the General Assembly of the United Nations, expressed his fear that the way to the peace table in Vietnam will be permanently blocked if both sides continue to use the conflict as an ultimate ideological testing ground. He warned that "the cloud over Vietnam has grown larger and more ominous."

Mr. President, historically there are no such nations as North Vietnam and South Vietnam. The Geneva agreement recognized that fact, referring to the 17th parallel as being a temporary division or separation of Vietnam. Laos, Cambodia, and Vietnam both north and south of the 17th parallel formed the lush French Indochinese colonial empire. Throughout the 19th century and part of the 20th century, the people of what was termed Indochina lived as subjects of French colonialism. They fought for national liberation and achieved their freedom following World War II. Following the Japanese withdrawal in 1945, the French sent in more than 200,000 troops to continue their colonial oppression of Indochina. In 1954, the forces of the National Liberation Front overran Dienbienphu, and in September of that year the French withdrew.

Mr. President, we would do well to heed the advice of Pope Paul VI and Secretary General U Thant. Unpleasant as it may be, the time for reappraisal has come, and thoughtful Americans should resolve to be realistic about it. The first step is to cast off the illusion that the civil war in Vietnam represents a final showdown with world communism. As U Thant pointed out so well, the basic problem in Vietnam is not one of ideology but one of national identity and survival. It is a war that millions of Vietnamese have been fighting since 1940. While the Communists may have captured leadership of the nationalist movement, we must not lose sight of the fact that this is also a continuation of a war of national liberation. The Saigon military junta is composed of 10 generals. Of the 10, 9 of the generals now ruling the Saigon Government fought on the side of the French colonial oppressors in 1953 and 1954 against their own fellow countrymen seeking national liberation. Prime Minister Ky, who was born in Hanoi, was in the French air force as a cadet in training. In other words, in the Vietnam war for liberation they were the tories and the Viet Minh fighting for national liberation were the patriots.

We can hardly claim that North Vietnam threatens our vital existence as a world power. Very definitely, Vietnam is of no strategic importance to the defense of the United States. We must then fall back on the argument that we are defending a free people against military aggression. However, at that point we face the embarrassing fact that very few nations in the world accept this as an accurate description of the war. More important is the fact that the great majority of the Vietcong—more than 80 percent fighting in the Mekong Delta—were born and reared in South Vietnam. It is a factually incorrect claim that State Secretary Dean Rusk makes that we are in southeast Asia with our hundreds of thousands of soldiers fighting a land war in an area 10,000 miles distant from our shores because of national aggression by one state against another. This is a fantastic claim lacking adequate basis in fact. Ho Chi Minh was waging his "war of national liberation" long before the Chinese Communists gained power in their own country.

Our mission should be to help people, if they want help, and to assist in building political and social conditions that will deter the people of the underdeveloped nations from looking to the Communist ideology for the cure for their national ills.

This does not at all mean abandoning the field everywhere to the Communists and retreating into isolation, but it does mean that we should apply appropriate measures to the particular situation we are dealing with, instead of trying to handle them all by a formula derived from a bygone set of circumstances. It means abandoning the assumption that the only way our national interest can be protected is by the direct application of our military power around the periphery of the Communist world. It means limiting our commitments to vital areas and bringing them into line with our capacity to fulfill them. Dean Rusk may assume the United States has a mandate from Almighty God to police the world. I repudiate any such view.

We, Americans, who like to regard ourselves as the most revolutionary nation in the world, have become, it seems, the most unrevolutionary in that regard.

Mr. President, in trying to bring about an armistice and peace and to end our involvement in this miserable civil war in the jungles of Vietnam, we would do well to encourage Pope Paul VI and Secretary General U Thant to continue leadership in their attempt to try and bring about peace. Indeed, we should follow that leadership. We would do well to make it crystal clear we would withdraw our Armed Forces in gradual

stages directly following a conference to bring about a cease-fire and an armistice in Vietnam and to make it equally clear that we would meet with independent delegates of the Vietcong, or National Liberation Front, at any time and anywhere and seek to neutralize Vietnam and finally end the bloodletting there.

Unless this is accomplished, the future probably holds forth for us involvement with our Armed Forces in Vietnam for 5, 10, or 20 years. We should proclaim that we Americans are definitely willing to discuss a cease-fire and an armistice with delegates representing the National Liberation Front, or Vietcong, along with delegates representing the Hanoi government and Saigon government. Also, the road to an ultimate settlement lies through halting our buildup of the Vietnamese war and moving toward a deescalation rather than an escalation of the war.

As U Thant said in his report:

> The survival of the people of Vietnam must be seen as the real issue, and it can be resolved not by force but by patience and understanding, in the framework of a willingness to live and let live.

AMENDMENT OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

Mr. PASTORE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1571, S. 3830.

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

The LEGISLATIVE CLERK. A bill (S. 3830) to amend the Atomic Energy Act of 1954, as amended.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. PASTORE. Mr. President, I rise in support of enactment of S. 3830, a bill to amend the Price-Anderson nuclear indemnity provisions of the Atomic Energy Act of 1954.

The Price-Anderson nuclear indemnity legislation was enacted in 1957 for two principal purposes. First, to protect the public by assuring the availability of funds for the payment of claims arising in the extremely unlikely event of a catastrophic nuclear incident. Second, to remove a deterrent to private industrial participation in the atomic energy program which flowed from the threat of tremendous potential liability claims. The act accordingly affords protection to the public and to AEC's licensees and contractors from the risks associated with atomic energy by providing for a program of private insurance and governmental indemnity amounting to a maximum of $560 million to cover damages that conceivably could arise from a nuclear incident.

Last year the Joint Committee recommended, and there was enacted, legislation extending the Price-Anderson Act for 10 years—to 1977. During our hearings on the extension legislation, our committee identified a number of potentially serious problems which required further study. These included the difficulty that might face a claimant if he were unable to prove someone's negligence was the cause of a nuclear incident. In addition, concern was expressed that the statutes of limitations of many States are inadequate to provide for delayed manifestation of radiation injury.

Our committee has continued to study these problems, in consultation with representatives of the private insurance industry, the nuclear industry, and the AEC. As a result of the cooperative efforts of all concerned a bill was drafted which attempted to remedy the deficiencies in the existing legislation.

In July of this year our committee held 3 days of hearings on the proposed bill, and we believe that we have now reported out a measure which will substantially improve the protection to the public afforded by the Price-Anderson legislation without in any way operating to the detriment of the nuclear industry. Moreover, it is important to note that S. 3830—while providing for the elimination of certain serious legal obstacles which might face claimants in the event of a substantial nuclear incident—does not establish a new body of Federal tort law. Instead, this bill follows the approach of the original Price-Anderson Act; that is, making a minimum interference with the laws of the several States insofar as legal liability for nuclear incidents is concerned. Our committee continues to endorse this general approach.

Mr. President, a detailed analysis of S. 3830 is contained in our committee's report which is before you. Our report discusses the provisions of this bill in depth and explains the policy bases of our committee's recommendation.

I will summarize the major provisions of S. 3830 very briefly as follows:

First. The bill would authorize the AEC to establish coordinated procedures with the nuclear liability insurance pools for the prompt settlement of claims arising out of a nuclear incident.

Second. The bill would authorize the AEC to incorporate provisions in its indemnity agreements with AEC's licensees and contractors, and to require incorporation of provisions in nuclear liability insurance policies and contracts which are furnished as proof of financial protection by AEC's licensees and contractors, which waive any issue or defense as to conduct of the claimant or fault of defendants. The primary end result of these waivers would be first to eliminate any requirement that a claimant prove that someone was negligent in order to recover for his damages from a serious nuclear incident and, second, any possible issue as to the claimant's contributory negligence or assumption of risk. Waivers could also be required with respect to charitable or governmental immunity of the defendant and statutes of limitations, subject to certain conditions.

Third. The waivers would apply only with respect to an "extraordinary nuclear occurrence" as defined in the bill. The Commission would be empowered to determine whether an "extraordinary nuclear occurrence" had taken place in order to make the waivers effective.

Fourth. The bill would provide that in the event of an "extraordinary nuclear occurrence" the U.S. district court in the district where such occurrence takes place shall have original jurisdiction of any public liability action arising out of the occurrence, without regard to the citizenship of any party or the amount in controversy. The bill would also authorize the removal to such district court of all public liability actions arising from the same occurrence which are pending in other courts.

Fifth. The bill would provide limitations on the amounts that may be paid from the private insurance-governmental indemnity fund established under the Price-Anderson Act without prior court approval. In addition, authority would be provided the appropriate U.S. district court to approve plans of distribution of the fund.

The Joint Committee believes this bill is an important improvement in the atomic energy legislation. S. 3830 was reported out by the Joint Committee without dissent, and I urge the Senate to pass this bill without delay.

Mr. President, I might add that the bill has the approval of both the insurance industry and the nuclear industry involved.

I understand that the distinguished Senator from Massachusetts [Mr. SALTONSTALL] would like to ask me several questions.

Mr. SALTONSTALL. I thank the Senator from Rhode Island. He and I have been Governors, and we know that there are differences in State laws particularly with relation to damages, and so forth. We also know that at times we have tried to get universal State laws on such matters as banking, for instance. The reason I ask these questions is that I have read part of the report—I will not say that I read it all—but it struck me that there were certain things of which I should like to make sure, although I know that they are probably quite clear in the Senator's mind.

My first question is: It is my understanding that this bill provides definite authority to the AEC to make emergency assistance payments to victims of a nuclear incident without requiring a potential claimant to release his right to sue for further damages, once they may become known.

Am I correct in this assumption, that the right of a person to file suit for additional damages, whether in a State or Federal court, would not be prejudiced by acceptance of such emergency assistance offered soon after an incident?

Mr. PASTORE. That is correct. The Senator is absolutely correct.

Mr. SALTONSTALL. My second question is: Do I understand correctly that it will not be necessary for the Commission to make the determination that the incident was an "extraordinary nuclear occurrence" before such emergency assistance could be offered?

Mr. PASTORE. For emergency assistance payments, no. The Commission does not have to make such a determination in order to make such payments. I might say to my distinguished

colleague that if he and I were Governors once more, we would welcome this law. This law is intended to protect the claimant who, as the result of the special waivers authorized, would not be obliged to prove negligence. He would not be obliged to prove that there was no contributory negligence. Instead of writing a new body of law, what we are actually doing is permitting the AEC, in its indemnity agreements, and the insurance companies in their contracts of insurance with the utilities, or any other person who runs a reactor in any community where we might have this extraordinary incident that we have been talking about, to agree that the claimant can make his claim for any damage without proving negligence. He also would not be restricted by a short statute of limitations because sometimes, in a radiation injury, there is no manifestation of that injury within the period of the statute of limitations.

Thus, actually, this is a bill intended to protect the claimant and, in the meantime, of course, for the benefit of the claimant, he can get emergency payments.

Mr. SALTONSTALL. I ask the Senator, because he has answered my third question—but I have two or three more—what special advantages not now covered by the operation of the act could result from this authority to provide emergency assistance?

I think the Senator has answered that.

Mr. PASTORE. Yes, I have answered that.

Mr. SALTONSTALL. My next question is: What must the claimant show or prove to qualify him for the emergency assistance?

Mr. PASTORE. That he was injured.

Mr. SALTONSTALL. That he was injured. I assume that he would have to get advice——

Mr. PASTORE. He would have to show that. Of course he would.

Mr. SALTONSTALL. He would have to prove it, in order to qualify himself for this emergency assistance?

Mr. PASTORE. He would have to show that the injury was probably the result of the nuclear incident. That would have to be shown.

Mr. SALTONSTALL. He would have to prove that before representatives of the Commission?

Mr. PASTORE. That is right.

(At this point Mr. BASS took the chair as Presiding Officer.)

Mr. SALTONSTALL. My last question is: Would such assistance be in addition to or included as part of any final settlement?

Mr. PASTORE. It would be included within the final settlement. If he was entitled to more, he would get it.

Mr. SALTONSTALL. He would get what the Commission gave him anyway, and if he was entitled to more in the future, he would get that.

Mr. PASTORE. He would get his maximum damage and they would deduct anything that they have already paid him.

Mr. SALTONSTALL. So that this is an effort to make it the same all over the United States.

Mr. PASTORE. That is right.

Mr. SALTONSTALL. I thank the Senator.

Mr. PASTORE. I merely want the RECORD to show that a claim has never been filed under a Price-Anderson indemnity agreement with an AEC licensee. In other words, I do not want to leave the impression that anyone should be frightened over this bill. We recognize that there is a tremendous responsibility on the part of the Government in the event that we might have that kind of incident. But I want to say that we have come a long way in the development of plants for the production of electricity through the use of atomic energy. We have not had one major incident as yet.

Of course, the Senator from Massachusetts knows that there is a plant in Rowe, Mass., which is the pride of the Nation. I went up there and inspected it, and I was so pleased with it. When they tried to build another one in Connecticut, they hired a bus and took some people in Connecticut to Rowe, Mass. They were left there on their own to knock on doors and ask people in the neighborhood what they thought of having an atomic energy plant in Massachusetts, and the response was overwhelmingly in favor of it.

Mr. SALTONSTALL. Mr. Webster can take a great deal of credit for that; can he not?

Mr. PASTORE. Absolutely.

Mr. SALTONSTALL. I thank the Senator.

Mr. PASTORE. Mr. President, before I ask that the bill be passed, there is an error in the printing of S. 3830 in the word "of" appearing between the word "prosecution" and the word "defense" on line 23 of page 5. It should read "or" instead of "of."

I ask unanimous consent that the error be corrected, and I offer an amendment to the bill.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 5, line 23, after the word "prosecution" strike out "of" and insert "or".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Without objection, the amendment is agreed to.

If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

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

S. 3830

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 11 of the Atomic Energy Act of 1954, as amended, is amended—

(1) by redesignating subsections j. and k. as subsections k. and l., respectively, and by redesignating subsections l. through aa. as subsections n. through cc., respectively;

(2) by inserting after subsection i. the following new subsection:

"j. The term 'extraordinary nuclear occurrence' means any event causing a discharge or dispersal of source, special nuclear, or byproduct material from its intended place of confinement in amounts offsite, or causing radiation levels offsite, which the Commission determines to be substantial, and which the Commission determines has resulted or will probably result in substantial damages to persons offsite or property offsite. Any determination by the Commission that such an event has, or has not, occurred shall be final and conclusive, and no other official or any court shall have power or jurisdiction to review any such determination. The Commission shall establish criteria in writing setting forth the basis upon which such determination shall be made. As used in this subsection, 'offsite' means away from 'the location' or 'the contract location' as defined in the applicable Commission indemnity agreement, entered into pursuant to section 170.";

(3) by inserting after the subsection redesignated as subsection l. by paragraph (1) of this subsection the following new subsection:

"m. The term 'indemnitor' means (1) any insurer with respect to his obligations under a policy of insurance furnished as proof of financial protection; (2) any licensee, contractor or other person who is obligated under any other form of financial protection, with respect to such obligations; and (3) the Commission with respect to any obligation undertaken by it in an indemnity agreement entered into pursuant to section 170."; and

(4) by inserting the phrase ", including an extraordinary nuclear occurrence," between the word "occurrence" and the word "within" in the subsection redesignated as subsection q. by paragraph (1) of this section.

(b) Section 109 of such Act is amended by striking out "subsection 11 t.(2) or 11 aa.(2)" and inserting in lieu thereof "subsection 11 v.(2) or 11cc.(2)".

SEC. 2. Subsection 170 e. of the Atomic Energy Act of 1954, as amended, is amended by deleting the last sentence.

SEC. 3. Section 170 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsections:

"m. The Commission is authorized to enter into agreements with other indemnitors to establish coordinated procedures for the prompt handling, investigation, and settlement of claims for public liability. The Commission and other indemnitors may make payments to, or for the aid of, claimants for the purpose of providing immediate assistance following a nuclear incident. Any funds appropriated to the Commission shall be available for such payments. Such payments may be made without securing releases, shall not constitute an admission of the liability of any person indemnified or of any indemnitor, and shall operate as a satisfaction to the extent thereof of any final settlement or judgment.

"n. (1) With respect to any extraordinary nuclear occurrence to which an insurance policy or contract furnished as proof of financial protection or an indemnity agreement applies and which—

"(a) arises out of or results from or occurs in the course of the construction, possession, or operation of a production or utilization facility, or

"(b) arises out of or results from or occurs in the course of transportation of source material, byproduct material, or special nuclear material to or from a production or utilization facility, or

"(c) during the course of the contract activity arises out of or results from the possession, operation, or use by a Commission contractor or subcontractor of a device utilizing special nuclear material or byproduct material,

the Commission may incorporate provisions in indemnity agreements with licensees and contractors under this section, and may require provisions to be incorporated in insurance policies or contracts furnished as proof

of financial protection, which waive (i) any issue or defense as to conduct of the claimant or fault of persons indemnified, (ii) any issue or defense as to charitable or governmental immunity, and (iii) any issue or defense based on any statute of limitations if suit is instituted within three years from the date on which the claimant first knew, or reasonably could have known, of his injury or damage and the cause thereof, but in no event more than ten years after the date of the nuclear incident. The waiver of any such issue or defense shall be effective regardless of whether such issue or defense may otherwise be deemed jurisdictional or relating to an element in the cause of action. When so incorporated, such waivers shall be judicially enforcible in accordance with their terms by the claimant against the person indemnified. Such waivers shall not preclude a defense based upon a failure to take reasonable steps to mitigate damages, nor shall such waivers apply to injury or damage to a claimant or to a claimant's property which is intentionally sustained by the claimant or which results from a nuclear incident intentionally and wrongfully caused by the claimant. The waivers authorized in this subsection shall, as to indemnitors, be effective only with respect to those obligations set forth in the insurance policies or the contracts furnished as proof of financial protection and in the indemnity agreements. Such waivers shall not apply to, or prejudice the prosecution or defense of, any claim or portion of claim which is not within the protection afforded under (i) the terms of insurance policies or contracts furnished as proof of financial protection, or indemnity agreements, and (ii) the limit of liability provisions of subsection 170 e.

"(2) With respect to any public liability action arising out of or resulting from an extraordinary nuclear occurrence, the United States district court in the district where the extraordinary nuclear occurrence takes place, or in the case of an extraordinary nuclear occurrence taking place outside the United States, the United States District Court for the District of Columbia, shall have original jurisdiction without regard to the citizenship of any party or the amount in controversy. Upon motion of the defendant or of the Commission, any such action pending in any State court or United States district court shall be removed or transferred to the United States district court having venue under this subsection. Process of such district court shall be effective throughout the United States.

"o. Whenever the United States district court in the district where a nuclear incident occurs, or the United States District Court for the District of Columbia in case of a nuclear incident occurring outside the United States, determines upon the petition of any indemnitor or other interested person that public liability from a single nuclear incident may exceed the limit of liability under subsection 170e.:

"(1) Total payments made by or for all indemnitors as a result of such nuclear incident shall not exceed 15 per centum of such limit of liability without the prior approval of such court;

"(2) The court shall not authorize payments in excess of 15 per centum of such limit of liability unless the court determines that such payments are or will be in accordance with a plan of distribution which has been approved by the court or such payments are not likely to prejudice the subsequent adoption and implementation by the court of a plan of distribution pursuant to subparagraph (3) of this subsection (o); and

"(3) The Commission shall, and any other indemnitor or other interested person may, submit to such district court a plan for the disposition of pending claims and for the distribution of remaining funds available. Such a plan shall include an allocation of appropriate amounts for personal injury claims, property damage claims, and possible latent injury claims which may not be discovered until a later time. Such court shall have all power necessary to approve, disapprove, or modify plans proposed, or to adopt another plan; and to determine the proportionate share of funds available for each claimant. The Commission, any other indemnitor, and any person indemnified shall be entitled to such orders as may be appropriate to implement and enforce the provisions of this section, including orders limiting the liability of the persons indemnified, orders approving or modifying the plan, orders staying the payment of claims and the execution of court judgments, orders apportioning the payments to be made to claimants, and orders permitting partial payments to be made before final determination of the total claims. The orders of such court shall be effective throughout the United States."

INCREASE OF POSITIONS IN GS–16, GS–17, AND GS–18—CONFERENCE REPORT

Mr. MONRONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2393) to authorize additional GS–16, GS–17, and GS–18 positions for use in agencies or functions created or substantially expanded after June 30, 1965. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 21, 1966, CONGRESSIONAL RECORD, pp. 23362–23364.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MONRONEY. Mr. President, this bill represents a compromise between the bill passed by the Senate last September, which created 100 new supergrade positions for agency functions created or substantially expanded after June 30, 1965, and the House bill passed last June which created a total of 456 supergrade positions.

The conferees agreed to provide 177 new positions to be allocated by the Civil Service Commission to the various agencies of the executive branch without regard to the date of agency creation or expansion. In addition, the conferees agreed to authorize 123 positions specificially assigned to 4 agencies of the executive and legislative branches.

The Federal Bureau of Investigation will receive 35 new positions. This figure is 15 less than originally provided by the House bill.

The National Security Agency will receive 35 positions, 5 for administration, and 30 for scientific research and development activities. This figure is five less than originally authorized by the House.

The General Accounting Office will receive 25 positions. This figure is 6 less than originally authorized by the House bill.

The Library of Congress will receive 28 positions. This is 7 less than recommended by the House.

The increase of 177 positions in the pool of supergrades administered by the Civil Service Commission will increase the total number of supergrade positions to 2,577. In order to receive a supergrade appointment, an agency must prove its case to the Civil Service Commission both in regard to the position and the candidate for the position.

The conferees agreed to remove level 18 positions in the postal field service salary schedule from the 3 levels which have been restricted to a total of 70 positions. The salary range for PFS–18 is not equal to GS–16 and should not be considered as a supergrade. A new total of 55 positions will be available to the Post Office Department in PFS–19 and 20.

The House version of the bill removed the percentage limitations on the number of GS–17 and GS–18 positions. Under present law, not more than 25 percent of the total number of supergrades can be GS–17 and not more than 12 percent can be GS–18. The conferees agreed to retain this limitation in the law.

Certain provisions of the law authorizing supergrades for various agencies in the executive branch were repealed because they have been executed and are no longer necessary.

The Senate conferees receded from the limitation date of June 30, 1965, and agreed that positions to be allocated by the Commission can be distributed without regard to the date of creation of the agency or function.

The conference report was agreed upon unanimously. I think it represents a generous increase in the number of supergrades available to the executive branch and at the same time is in keeping with the needs of our economy. I recommend that the Senate act favorably on the conference report.

Mr. CARLSON. Mr. President, I heartily approve of the conference report which has been submitted by the distinguished chairman of the Post Office and Civil Service Committee.

Public Law 87–793 of 1962 was the last time the Classification Act was amended to provide additional positions in grades GS–16 through GS–18. The maximum quota available to the Government was put at 2,400. By mid-1965 these authorities were exhausted.

When the medicare proposal was receiving legislative consideration, to meet the top staffing need of the program, the legislation provided about 100 supergrades earmarked for Social Security.

I felt at the time this proposal was too specific and that such proposal should go through proper committee channels. I stated on the floor of the Senate during the debate on the question that if it could be shown that additional supergrades were needed for the Department of Health, Education, and Welfare and Social Security and a bill were introduced on which hearings could be held, I would help get the spaces needed. I hope these agencies will get needed supergrades.

A bill, S. 2393, was introduced by the distinguished chairman of the Senate Post Office and Civil Service Committee,

Mr. MONRONEY, and cosponsored by the Senator from Maryland [Mr. BREWSTER] and me. The bill provided for 100 additional positions in grades 16, 17, and 18 by increasing the maximum number alloted to the Government in these positions from 2,400 to 2,500. Hearings were held on the bill and it was reported to the Senate without amendment. The bill passed the Senate, September 1, 1965.

It was not acted on by the House until June 6, 1966. In that time Congress enacted a substantial number of bills which either created new agencies or expanded the functions of others.

The House-amended bill increased the maximum number under direct authorization of the Civil Service Commission to 2,700. It provided additional spaces of 156 under special authority to certain agencies. This made a grand-total increase of 456.

In conference, the Senate conferees insisted that this number be reduced. In conference agreement the conferees set the pool under direct authorization of the Civil Service Commission at 177, and additional or special authority spaces at 123, making a total of 300. This, I believe was a reasonable conclusion and I recommend that the conference report be agreed to by the Senate.

Mr. President, there has been much discussion about the term "supergrade." I do not believe the word is a legal term or carries any legal connotation as far as the Civil Service Act is concerned.

As new agencies were created and other agencies were expanded, it became more difficult to obtain qualified top-staff employees at a grade 15, which was provided for under the Classification Act. Therefore, the Classification Act was amended by adding grades 16, 17, and 18. The Congress specified the number of employees allowed to each of these grades. The term "supergrade" is merely a descriptive term, generally applied to the additional grades above a GS–15.

Mr. President, it is interesting to note the growth in numbers of supergrades since 1949 to 1965. The total number of employees in grades 16, 17, and 18 in 1949 was 485. In 1965 that number had increased to 5,755, and with this additional 300 we now have authorized over 6,000 supergrades.

Mr. President, I ask unanimous consent that a table showing the increases by years be inserted in the RECORD at the close of my remarks.

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

(See exhibit 1.)

Mr. CARLSON. Mr. President, I mention this because there is a tendency in Congress to add supergrades to legislation which comes from other committees. I have consistently opposed those recommended by committees other than the Committee on Post Office and Civil Service.

I think it may be interesting to point out that presently we have over 2,800,000 Federal civilian employees. That is the highest number since the Korean war. When this administration came into office, there were fewer than 2,400,000 Federal civil service employees. In December last there were 2,567,000 employees. The latest figure is that there are 2,806,000 Federal civil service employees.

In World War II we had a higher number. At that time the number was as high as 3,800,000 civilian employees.

I mention this because there is an ever-increasing tendency to add Federal civil service employees to the Government payrolls. With the increase that we have just now voted in the supergrades, we will have more than 6,000 supergrade employees; and we presently have 2,800,000 Federal civilian employees.

EXHIBIT 1

Growth of supergrades and Public Law 313-type positions authorized by law as of Feb. 4, 1966, furnished by Civil Service Commission

GS–16, GS–17, and GS–18	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965
General quota	400	400	400	400	400	550	1,200	1,226	1,226	1,513	1,035	1,035	1,989	2,400	2,400	2,400	2,400
DOD quota											372	372	407	407	407	407	407
Nonquota														(1)	595	1,014	1,206
Special authorities [2]	25	25	25	25	28	28	57	57	57	145	146	146	171	177	187	436	436
Subtotal	425	425	425	425	428	578	1,257	1,283	1,283	1,658	1,553	1,553	2,567	2,984	3,589	4,257	4,449
Public Law 313	60	90	90	90	90	90	105	190	190	737	935	935	1,306	1,306	1,306	1,306	1,306
Total	485	515	515	515	518	668	1,362	1,473	1,473	2,395	2,488	2,488	3,873	4,290	4,895	5,563	5,755

[1] Effective Oct. 11, 1962 (Public Law 87–793).

[2] Figures shown in this line take account only of special authorities existing. During the period many temporary authorities arose and disappeared, some within a single year.

The amounts shown in 1959–60 do not take into account a Treasury special authority of 260 set up in 1959 and dropped in 1961.

Source: Classification Division, Civil Service Commission.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. KUCHEL. Mr. President, I rise simply to say publicly what I have said privately to the distinguished chairman and the ranking minority member of the committee: I congratulate them on what I think is not simply a job well done, but excellently done, which will serve the public interest.

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

Mr. KUCHEL. I yield.

Mr. MONRONEY. I appreciate the remarks of the assistant minority leader.

In this regard, the Federal Government, like many industries, has a problem of retaining people with specialized training and experience, as does private industry, and only by paying a salary somewhat comparable to that afforded by private industry can we hope to maintain these men in key positions, whose decisions may affect the expenditure of hundreds of millions of dollars.

I conferred with the Senator from California several times during the conference, and I am glad that the result of our efforts meets with his approval.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

AMERICA'S ROLE IN ASIA

Mr. KUCHEL. Mr. President, in the Los Angeles Times of Sunday, September 18, 1966, the lead editorial is entitled, "America's Role in Asia." In a perceptive and penetrating comment, the Times goes on to describe the fact that the United States is and has been a Pacific power, regardless of what the head of the Republic of France may have said on his recent visit to southeast Asia.

The editorial quotes President Marcos, that gallant leader of the Philippine Republic, who spoke in this Capitol just a few days ago, as follows:

It was only the American presence in Vietnam which prevented the fall of the Indonesian government into Communist hands. Not only Indonesia, but also other countries.

The Times observes:

America's military role is only part of the story of our responsibilities in Asia. Building the economic and political strength of the free nations of the area, and working for reconciliation between hostile nations, are also major goals of U.S. policy and essential for peace.

The entire editorial merits the attention of the Senate and the country.

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

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

[From the Los Angeles Times, Sept. 18, 1966]

AMERICA'S ROLE IN ASIA

In Cambodia a few weeks ago President de Gaulle, beating the drums for a greater French influence in Asia, spoke sneeringly of "the foreigner who comes from the other shores of the Pacific" to meddle in Asian affairs. His reference was to the United States, and his implication appeared to be that this nation has no rightful interests anywhere west of Hawaii.

Some weeks earlier, conversely, President Johnson had described the United States as "a Pacific power," with obligations and interests that stretch far across the ocean to those lands where live 60% of the world's people.

Asia, said the President, "is now the crucial arena for man's striving for independence

and order, and for life itself," and the United States is deeply involved—and rightly so—in that struggle.

It is not hard to see that reality and history are on the side of Mr. Johnson. De Gaulle, who raised no objections about the foreigner who came from the other shores of the Atlantic to restore France after one of her periodic defeats, knows that the United States was a Pacific power long before she became an Atlantic one.

Expediency no doubt prompted him to forget this fact, but its accuracy remains undiminished.

U.S. interest in Asia are long-standing, multi-faceted and continuing. They are also complex, involving not only self-interest, which is the basis for any nation's policies, but also a strong moral commitment and the fact that the United States, as the world's wealthiest and most powerful nation—and a Pacific power—is the only country able and willing to do certain things that must be done.

Critics of U.S. Asian policy, here and abroad, view the case differently. To some the United States is concerned in Asia primarily with economic aggrandizement.

Others feel the proper sphere of U.S. interest should be Europe. Our Asian commitments aren't worth the resources they require, this group says, and besides, the Asians just aren't our kind of people.

These arguments, as the President noted, have all been tested and found wanting. They do not stand the tests of geography, or common sense, or human concern, or the political, economic, and military realities of this century.

The second world war, decolonization in Asia and the commensurate rise of communism in China all served to alter irrevocably the foundation for stability in the area. This does not mean that the pre-war status quo was either a model of order or preferable. What it does mean is that conditions have evolved that make an expanded U.S. role in Asia necessary.

Although this role takes several forms, the one that most upsets critics of U.S. policy is the military aspect of American involvement, typified, of course, by the Vietnam war.

The critical arguments are familiar enough not to need repeating, and so also are the official responses. A point too often ignored by critics, however, does merit recall. This is that non-Communist Asians strongly desire a U.S. military presence in the area; indeed, they depend on it.

This desire is by no means limited simply to the military governments in Asia. On the contrary: the democratically elected governments of Japan, the Philippines, Malaysia, Australia and Singapore are equally clear in their support for a U.S. military presence. These governments, and the great majority of the people they represent, understand the threat to national independence posed by militant communism in Asia, and they understand the security an American presence helps guarantee.

The fact that the United States is fulfilling its military commitments in Asia has a bearing not only on the war in Vietnam but elsewhere. For example, President Marcos of the Philippines has said flatly that "It was only the American presence in Vietnam which prevented the fall of the Indonesian government into Communist hands. Not only Indonesia, but also other countries." This view is by no means uniquely held.

It might also be assumed, with good reason, that such neutralist states as Burma and—yes—even Cambodia are not unhappy with a U.S. presence that is a counterweight to Chinese threats.

But America's military role is only part of the story of our responsibilities in Asia. Building the economic and political strength of the free nations of the area, and working for reconciliation between hostile nations, are also major goals of U.S. policy and essential for peace.

Military strength, and the willingness to meet commitments, are necessary pre-conditions for carrying out these other goals. Those who would have the United States withdraw from Asia, or refuse to meet the security needs of countries that need help, cannot expect economic and political progress to go forward.

Such progress is good in its own right, and good for the United States. Judged either way, it supports what this country is doing in Asia.

Mr. KUCHEL. Mr. President, proceeding now to another subject, I ask unanimous consent that I may be permitted to finish my remarks on this subject without interruption.

The PRESIDING OFFICER. How much time does the Senator wish?

Mr. KUCHEL. Five minutes.

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

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

Mr. KUCHEL. I yield to the majority leader.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the morning hour, the distinguished Senator from Kansas [Mr. PEARSON] be recognized.

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

MAINTAINING NATO

Mr. KUCHEL. Mr. President, on August 29, I addressed the Senate to point out that the American involvement in southeast Asia is a global matter and that, given the aggressive design of Communist China, the entire world is threatened with a major conflict. These are critical times for the survival of modern man.

Whether we like it or not, Mr. President, the burden of preserving peace and human freedom in this decade of the 20th century has fallen in large part on the shoulders of our great country. Accordingly, even a minor change in the foreign policy of the United States may be of great significance to the entire world.

Members on the majority side of the aisle have proposed a resolution saying that it is the sense of the Senate that there should be "a substantial reduction" in American forces stationed in Europe in connection with the North Atlantic Treaty. The resolution does not state how many troops should be withdrawn nor whether this step should be taken unilaterally or in consultation with our allies. The phrase "substantial reduction" is susceptible of many and diverse interpretations, and Senate debate alone will not supply a single definition. At this point, I must add it may well be that some reductions are in order, but there is a need for careful deliberation regarding the size and shape. If there is to be a Senate view on the matter, it ought to be based on credible testimony by the Secretaries of Defense, and State, and the Joint Chiefs of Staff. The fact is that this is an executive decision, not a legislative one, and the executive branch takes a dim view of the resolution.

Years ago, General MacArthur told the Congress and the country that while it is true Europe is the gateway to Asia, the reverse, as well, is equally true. The resolution raises a large number of critical issues of global importance. Among them is the fundamental question of collective security, upon which our policies have been based since World War II. That fundamental question touches furthermore on the doctrine of the defense of Europe.

In 1951 when the Congress, with the President's enthusiastic approval, passed a resolution in support of stationing American forces in Europe under NATO, extensive hearings were held in committee, to chart the course our Nation would follow as a result of that momentous step. Thereafter, the Senate acted. Today it is proposed to amend that earlier resolution and to urge a withdrawal of a substantial number of our troops but with no prior sifting of the facts by committee. Such a proposal may be no less important to our policy and must be given the same care as its predecessor.

Several days ago, my distinguished friend, the senior Senator from New Hampshire [Mr. COTTON] pointed out that a substantial withdrawal of troops from Europe could imply a return to the outmoded concept of "massive retaliation," and with it, the abandonment of many of the safeguards that have since been erected to prevent a global holocaust. I agree with him. The resolution implies a major change in military policy, in effect stating that the United States will not employ her troops as the first defense against aggression in Europe. In my view it implies that we might well go all the way to a nuclear response at the moment of attack, whether it be a feint, a probe, or even a miscalculation in maneuvers. The truth is that we should take extraordinary pains to prevent any nation from misjudging or falsely interpreting our resolve.

A great power must make its purposes clear lest its allies be confused and its enemies miscalculate its intentions. No nation, friend or foe, should have to guess or grope for the basis of our international policy in this nuclear age.

We have already learned in Vietnam how our enemies listen to the voices they wish to hear. Ho Chi Minh believes Americans will give up. He heeds the cry of those who claim that the majority of Americans will not support our efforts in southeast Asia. It has taken months of perseverance to give the lie to this contention. A great number of American lives have been lost, and may yet be lost, in convincing the North Vietnamese that they have miscalculated our intentions.

How much more costly for the world would be a Soviet failure to understand U.S. determination to defend Europe?

Approval of the resolution by the Senate in its present form could deepen Britain's quandary about her costly commitment on the Rhine. It could and, no doubt, would, enlarge West Germany's

doubts about the adequacy of her defense, putting her in a position where many Germans would be tempted to contemplate measures leading to a nuclear force as an alternative to dependence on Gaullist France. And, most important, it could well tempt the Soviet Union into renewed adventures in Europe, prompted by too great a fear for a renascent Germany and too little for the United States. As the Washington Post pointed out in a recent editorial, a return to the doctrine of massive retaliation "simply would not be credible to either the Soviets or the Western Europeans in all sorts of marginal situations, such as a Hungarian-style revolt in East Germany that might transgress the border." The United States cannot afford to play these critical events on the blind. My position at the time the resolution was first introduced, remains the same. It must be subjected to close scrutiny in committee, where careful cross-examination can build a printed record on which Senators may more clearly chart the position of this House.

No major troop withdrawals should be considered without full consultation with our allies, and, if possible, without exacting a reciprocal withdrawal of forces opposing the free world on the other side of the Iron Curtain. Revision of the resolution to take these factors into account would do much toward increasing its merit. Some reduction of forces may be desirable, and, indeed, quite acceptable to both us and our allies. But the essential need is to make certain that all concerned know the purpose and import of this resolution, both in terms of our foreign policy and our national security. Its meaning must be made crystal clear. It must be understood not only on the floor of the Senate but by members of the executive branch, the Armed Forces, and the people at large.

The actions of the Senate will have a great impact on American policy. Moreover, it is the task of the Senate to bring to bear on the forces making our foreign policy the will of the American people. This resolution, as I say, must be given the most careful hearings to record the views of the President, the Secretary of State, the Secretary of Defense, the Joint Chiefs of Staff, and other interested Americans. I intend to move that appropriate hearings be held.

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

Mr. KUCHEL. I yield.

Mr. MANSFIELD. Mr. President, I listened with great interest to what the distinguished acting minority leader has said about Senate Resolution 300.

I must say that I disagree in large part with the logic which he used to explain his point of view.

This subject will be brought before the Senate and the Senate will have an opportunity to discuss it in public, as I think should be done, and, if the Senate so desires, it will be referred to a committee or committees.

I should like respectfully to make a suggestion to the acting minority leader, if I may, and that is that he be on the floor at the conclusion of the morning hour to listen to a speech to be given by our distinguished colleague, the Senator from Kansas [Mr. PEARSON], on this very subject.

I think we will all find the speech enlightening. It goes into facts and figures and, I think, does a good job of expressing his point of view as a sponsor of the resolution, which now has 31 names attached to it, and which will be before the Senate either later this month or early next month.

Mr. KUCHEL. Mr. President, I thank my friend, the majority leader. That statement gives me an opportunity to express to my colleague on the floor what I think is quite obvious—my own high respect for the ability and patriotism and experience which mark the conduct of the senior Senator from Montana. MIKE MANSFIELD is an able Senator. In this instance, however, I simply disagree with him.

Mr. President, I do not want to make a mistake in casting my vote on a resolution that concerns as delicate and important a problem as that which is inherent in the resolution to which my able colleague, the majority leader, has referred. I do not want to make a mistake, and, taking that position, I want to be armed as best I can, not simply with benefit of the debate that will ensue in the Senate, but also with the careful and deliberate and considered opinion of those in the executive branch who, in the last analysis, will make the decision. A hearing will permit a careful cross-examination of each of them.

I say quite frankly that many Senators—and my able friend, the majority leader, is one of them—have far more knowledge and experience on which to draw in reaching a conclusion than does this Senator.

It is in great part for that reason that I do desire that this resolution go through the Senate processes of committee hearings.

Mr. MANSFIELD. Mr. President, the Senator is too modest when he speaks of his capabilities, which are great and varied. But I hope the Senate will not forget one aspect of the Constitution, and that is the Senate's right and duty of advice.

That is something that we had better keep in mind and pursue in the days ahead, perhaps more so in the future than in the past.

Mr. KUCHEL. Mr. President, I agree again that the Senate has a responsibility which it must discharge. In discharging it, I simply want the Senate to be as fully armed with the facts as it may be before each 100th part of the Senate renders its decision.

ASTRONOMICAL LEVEL OF FEDERAL CIVILIAN EMPLOYMENT

Mr. WILLIAMS of Delaware. Mr. President, the President's announcement that he has ordered the Director of the Budget to freeze Federal civilian employment at existing levels and then hailing this as a great demonstration of economy is an insult to the intelligence of the American taxpayers.

The fact is the Federal civilian employment today is at an astronomical high level, having been increased by 234,387 in the past 7 months, and then to have this move described as a reduction of 30,000 in their plans for future employment is a farce.

This is the second grandstand play of fictitious economy with the Federal employees as the pawns.

On December 1 of last year President Johnson held a press conference at his Texas ranch and announced that Federal civilian employment was too high and that it was going to be reduced by 25,000 during the remainder of that fiscal year, or by June 30, 1966.

What happened?

Instead of reducing employment by 25,000, the administration actually has added another 234,000.

The rate at which Federal civilian employment has been increased since his statement of December 1965 is as follows:

Month:	*Employment*	*Increase*
December 1965	2,550,742	
January 1966	2,555,572	4,830
February 1966	2,580,518	24,946
March 1966	2,610,780	30,262
April 1966	2,644,153	33,373
May 1966	2,665,160	21,007
June 1966	2,738,248	73,088
July 1966	2,785,129	46,881

These extra 234,387 employees are costing the taxpayers over $1¼ billion annually, and to freeze employment at this existing high level means that this extra payroll cost will cancel out entirely any additional revenue that would be derived by repealing or suspending the 7-percent investment tax credit.

This would nullify any benefit from such action on taxes and only further feed the fires of inflation.

This excessive payroll must be cut, and I am having drafted an amendment which, instead of freezing Federal employment at existing levels, will roll back Federal civilian employment to the level of January 1966, thereby forcing a reduction of at least 200,000 below existing levels.

This reduction can be accomplished without any dismissals but by merely adopting a plan restricting future employment at a level not to exceed three-fourths of the number of retirements and voluntary resignations that occur each month.

TRIBUTE TO WILLIAM H. PITSENBARGER ON POSTHUMOUS AWARD OF AIR FORCE CROSS

Mr. LAUSCHE. Mr. President, it was my honor today at noon to be present when the U.S. Government, through the Air Force, presented posthumously to the parents of William H. Pitsenbarger the Air Force Cross, the highest honor and award that the Air Force can make.

I express to the parents of William H. Pitsenbarger my great admiration for their valor and stalwartness displayed today when this award was given to them by the Air Force.

I feel that the conduct of A1c. William H. Pitsenbarger in South Vietnam was of such an heroic nature that a descrip-

tion of it ought to be printed in the RECORD.

Mr. President, the citation reads:

CITATION TO ACCOMPANY THE AWARD OF THE AIR FORCE CROSS (POSTHUMOUSLY) TO WILLIAM H. PITSENBARGER

Airman First Class William H. Pitsenbarger distinguished himself by extraordinary heroism in connection with military operations against an opposing armed force near Cam My, Republic of Vietnam, on 11 April 1966. On that date, Airman Pitsenbarger was a rescue and survival specialist aboard a helicopter engaged in the evacuation of American casualties in a dense jungle. With complete disregard for his personal safety, Airman Pitsenbarger vountarily rode a rescue hoist more than one-hundred feet to the ground and organized and coordinated rescue efforts at the scene. During the rescue operation, he cared for and prepared the casualties for evacuation, and insured that the recovery operation continued in a smooth and orderly fashion. Following the recovery of the ninth casualty, the rescue aircraft hovering overhead was damaged and disabled by automatic weapons fire. The helicopter was forced to abandon recovery efforts to make an emergency landing at a nearby airstrip. Airman Pitsenbarger volunteered to remain on the ground and administer medical treatment to the wounded.

Shortly after rescue efforts were interrupted, the area came under heavy sniper and mortar fire. Airman Pitsenbarger repeatedly exposed himself to intensive automatic fire while gathering rifles and ammunition from fallen comrades which he passed among the defenders. His bravery and determination in the face of overwhelming odds are in keeping with the highest standards of performance and traditions of the American fighting man under attack. The extraordinary heroism and aggressiveness of airman Pitsenbarger reflect the highest credit upon himself and the United States Air Force.

In addition to the Air Force Cross, Airman Pitsenbarger is being awarded today the Airman's Medal, the Purple Heart, and clusters six through nine to the Air Medal. His citation for the Airman's Medal notes that on 7 March of this year he volunteered to be lowered by hoist from his helicopter into a burning field of concealed mines to rescue an injured Vietnamese, an act performed "with complete disregard for his own safety."

The Purple Heart is being awarded because of injuries he sustained "as a result of action by a hostile foreign force."

The citation to the four clusters for his Air Medal refers to his "outstanding airmanship and courage under extremely hazardous conditions," exhibited on frequent combat support missions flown during the early months of this year.

I was present when this high award was made to the mother and father of William Pitsenbarger. They stood there heroically, in my opinion reflecting the courageous and stalwart character of their son. The mother was brave. The father shed tears. But both were proud.

At the conclusion of the award, I felt that I was spiritually cleansed and fortified for better rendition of service in the responsibility which I have for my Government. I only regret that others were not present.

Ohio is proud of A1c. William H. Pitsenbarger and his parents. Piqua, the historic city from which Pitsenbarger came, likewise has great reason to express honor and pride in the achievements of this young man.

PROMOTION OF SAVINGS UNDER THE INTERNAL REVENUE SERVICE'S AUTOMATIC DATA PROCESSING SYSTEM

Mr. MANSFIELD. Mr. President, while the distinguished Senator from Delaware [Mr. WILLIAMS] is on the floor, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1592, H.R. 6958.

The PRESIDING OFFICER (Mr. McGEE in the chair). The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 6958) to amend the Internal Revenue Code of 1954 to promote savings under the Internal Revenue Service's automatic data processing system.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that excerpts from the committee report explaining the purpose of this bill be printed at this point in the RECORD.

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

I. SUMMARY

H.R. 6958 is concerned primarily with the provisions of the tax laws specifying the place for filing income and other tax returns. The principal purpose of the changes made is to increase substantially the economics possible under the Internal Revenue Service's new automatic data processing system.

Present law generally requires that tax returns be filed in one of the 58 offices of the District Directors of Internal Revenue. Under the Internal Revenue Service's automatic data processing system, after some initial processing at the district director's office, these returns are packaged and shipped to one of the seven regional automatic data processing service centers where the processing of the returns is completed. The bill amends present law to permit the Treasury Department to require taxpayers to mail their tax returns directly to the service centers, thereby eliminating the double handling and extending the economics of volume processing to the initial processing steps. The bill provides, however, that a taxpayer who desires to file his return in person may continue to do so as at present by hand carrying it to his local Internal Revenue Service office.

Your committee, like the Committee on Ways and Means, has been assured by the Treasury Department that none of the services taxpayers are accustomed to receiving at their local internal revenue offices will be curtailed as a result of the enactment of this bill.

The bill provides that, in the case of taxpayers residing abroad, foreign corporations, and taxpayers with income from abroad to whom certain enumerated special provisions of the code apply, the Treasury Department may designate by regulations the place at which they must file their tax returns. Presumably, this will be with the Office of International Operations.

The bill also makes amendments which are related to the change in the place for filing tax returns. Several of these, however, have independent significance. The more important of these changes are as follows:

1. Where a criminal prosecution for willful failure to file a tax return is begun in a judicial district other than the one in which he resides, the bill grants the defendant the right to have the trial moved to his home district.

2. The bill does away with tax refund suits against collection officers, but retains the provisions of present law which permits these suits to be brought directly against the United States and which provide for court costs to be borne by the unsuccessful party in the proceeding.

3. The bill provides that appeals from Tax Court decisions are to be made to the court of appeals for the circuit in which the individual resides at the time he filed his petition in the Tax Court, or in the case of a corporation, to the court of appeals for the circuit in which its principal place of business or principal office or agency is located at that time.

4. The bill also provides that the timely mailing of a tax return or payment is to be considered timely filing or timely payment. As a result, where the postmark on an envelope in which an individual income tax return and payment are enclosed shows that it was mailed on or before the due date, the return and payment will be considered as filed or paid on time even though received after the due date.

The provisions of the bill take effect, generally, upon enactment.

This bill was introduced at the request of the Treasury Department. It is reported unanimously by your committee.

II. REASONS FOR THE BILL

The Internal Revenue Service is nearing completion of its conversion from manual to automatic data processing of tax returns. Since the economies arising from automatic data processing can best be maximized by a high volume of return processing at centralized locations, the Service has established 7 regional service centers to do the processing formerly done in the 58 District Directors' offices.

The changeover to automatic data processing was necessitated by the ever-increasing number of tax returns being filed with the Service. In 1930, the Service handled 6 million tax returns; in 1965, the volume had increased to 102 million. By 1970, the Service anticipates 111 million returns will be filed, and by 1980, 135 million.

At the present time, part of the processing is done at the District Directors' offices but the remainder at the regional centers after the returns are shipped there. The initial processing done at the district offices primarily involves mail opening, taking out the payments, and other clerical operations. The returns are then packaged and shipped to the service centers where the major processing functions are performed. In addition to the added expense of transshipping, the receipt of the returns at the district offices makes it necessary to perform the minimal processing activities referred to at these offices even though this could be done more economically under the high volume techniques possible at the service centers. The elimination of the double handling and shipping costs and the maximization of the economies inherent in volume processing will, according to Internal Revenue Service estimates, produce an annual saving in administrative costs of nearly $4 million.

In addition to the economies referred to above, direct filing will reduce the time it presently takes for the Service to make refunds and will make it possible to commence audit and collection activities at an earlier time.

Your committee, like the Committee on Ways and Means has been assured by the Treasury Department that the enactment of this bill will not result in a curtailment of the services taxpayers are currently receiving at the district offices.

For the reasons given above, the bill amends present law to provide for the direct filing of tax returns at the service centers. This change in the place for filing tax returns makes necessary or desirable certain other changes in the administrative provisions of the tax laws. The reasons for these related changes are contained in the general explanation which follows.

III. GENERAL EXPLANATION OF THE BILL

1. Centralized filing of returns (sec. 1(a) of the bill and sec. 6091(b) of the code)

Under present law an individual is required to file his tax returns in the internal revenue district in which he resides or has his principal place of business.[1] A corporation must file in the internal revenue district in which it has its principal place of business or principal office or agency. If an individual does not have a residence or principal place of business in the United States (for example, a nonresident alien or perhaps a U.S. citizen living abroad) or a corporation does not have a principal place of business or principal office or agency in the United States (as is true of many foreign corporations with income from U.S. sources), present law provides that the Treasury Department is to prescribe the place for filing tax returns by regulations.

The bill, in order to maximize the economies to be obtained from automatic data processing, amends present law to make provision for the filing of tax returns at the Internal Revenue Service centers. More specifically, the bill, as a general rule, provides that in the case of individuals, the Treasury Department may, by regulations, require tax returns to be filed either in the internal revenue district in which the taxpayer's legal residence or principal place of business is located or at a service center serving that district. Similarly, the bill permits the Treasury Department to require the filing of corporate returns at either the district offices or at the service centers. The District Director's office as an alternative location which the Treasury may designate for the filing of returns is retained primarily for use during the period of time automatic data processing is being brought into operation in different areas of the country. Thus, for example, during the period of time in which the Internal Revenue Service is "phasing in" its service centers, the regulations could provide that income tax returns of individuals who reside in districts the service center for which is in operation (and the transition to machine processing has been completed) are to be filed with the service center, and that the income tax returns for individuals residing in districts the service center for which has not been geared up to process individual income tax returns are to be filed in the district offices. However, this authority in the Treasury Department to designate either district offices or service centers for filing returns would also permit the designation of one office for one type of return and the other office for another type of return. For example, the regulations could provide that income tax returns were to be filed at the service centers and excise tax returns in the district offices.

During the period of transition from filing tax returns with district directors to filing them with the service centers, it is inevitable that some taxpayers will, in all good faith, mistakenly mail their tax returns to the district directors as they have in the past. The Treasury Department has assured this committee that in these cases the penalty for failure to file a timely tax return will not be imposed.

As an exception to the general rule set out above, the bill provides that a taxpayer who desires to file his return in person (usually to obtain proof of filing) may continue to do so by hand carrying it to his local internal revenue office. This is important not only to individual taxpayers who want verification of their timely payment but also to accountants who may be filing for a number of taxpayers and to corporate taxpayers where the amounts are large and therefore the danger of any penalty for late filing significant. The bill also provides that returns of nonresident aliens, foreign corporations, and others taking advantage of certain foreign income provisions for the law are to be filed at the place designated by regulations. This need not be either at a district office or regional service center. In these cases special provisions of the code apply, and, as a result, special auditing knowledge is required. The Internal Revenue Service's current practice is to handle the processing and auditing of many of these returns in its Office of Internal Operations. However, under present law some of these returns are required to be filed in the district offices. In these cases, the returns must be forwarded by the district offices to the Office of International Operations. This tends to delay the processing of these returns and the refunding of overpayments of taxes where this has occurred. For this reason the bill amends present law to provide that these returns are to be filed at the place the Secretary of the Treasury or his delegate designates by regulations.

The types of returns which are to be filed wherever designated by regulations are as follows:

(*a*) Returns of citizens whose principal place of abode is outside the United States during the taxable period. Many of these taxpayers are eligible for the exclusion for income earned abroad;

(*b*) Returns of persons who claim the exclusion from gross income for income earned abroad (sec. 911), persons whose income is largely from sources within possessions of the United States (sec. 931), and persons whose income is largely from sources in Puerto Rico (sec. 933);

(*c*) Returns of nonresident aliens whether or not they have a principal place of business in the United States;

(*d*) Returns of Western Hemisphere trade corporations (sec. 922), corporations deriving income from sources within possessions of the United States (sec. 931), and China Trade Act corporations (sec. 941); and

(*e*) Returns of foreign corporations whether or not they have a principal place of business or principal office or agency in the United States.

These provisions take effect upon enactment.

2. Place for paying tax shown on return (sec. 1(b) of the bill and sec. 6151 (a) of the code)

Present law provides that the tax shown on a tax return is to be paid to the principal internal revenue officer for the district in which the return is required to be filed. Since under the bill the return may no longer be filed in a district director's office, a conforming change is required in the provision relating to payment. As amended, the tax is to be paid to the internal revenue officer with whom the return is filed. This provision applies upon enactment.

3. Venue in criminal cases (sec. 2 of the bill and sec. 3237(b) of title 18, United States Code)

Present law provides that the willful failure to file a tax return is a misdemeanor. For purposes of determining where a prosecution of this offense is to occur, present case law holds that the venue is to be in the judicial district in which the return was required to be filed.

Under the bill, taxpayers are required to file returns in either of two judicial districts in the majority of cases. If they choose to mail their return, regulations may require that they be filed in the judicial district in which their service center is located. If they choose to file their return in person, by hand-carrying, they are required to file it at their district director's office. In most cases, the service center and the district office will be located in different judicial districts. Since venue for a willful failure to file prosecution lies in either district, the Government under the bill could bring the prosecution in either district.[2]

Your committee agrees with the Committee on Ways and Means that a prosecution for willful failure to file a return should be brought as close to the defendant's residence as possible in order to avoid hardship to him, his attorneys, and witnesses. In this regard, it is this committee's understanding that the Government in practice will bring prosecutions for willful failure to file returns in the judicial district where the taxpayer resides (or the closest district possible). However, to be sure that the taxpayer has the right to be tried in the district in which he resides, the bill amends present law to provide that he may elect to remove his trial to the judicial district of his residence.

4. Abolition of refund suits against collection officers (sec. 3 (a) and (b) of the bill and sec. 7422 of the code)

Under present law a taxpayer seeking a refund of an overpayment of tax generally may sue the United States directly or may bring his action against the district director to whom the tax was paid. In a refund suit against the United States brought by an individual the suit may be brought only in the judicial district in which the individual resides. Refund suits against the district director may be brought only in the judicial district in which the director resides. Moreover, under present law (sec. 2502 of title 28, United States Code) an alien or foreign corporation can sue the United States directly only if the country of which he is a citizen permits itself to be sued by the citizens of the United States having claims against it. However, since a refund suit against the district director in form is not a suit against the United States, aliens and foreign corporations may, under present law, bring these suits for refunds of taxes without establishing the existence of reciprocity.

Under the present practice of filing returns and making payments of taxes to the 58 district directors, suits against collection officers are fairly widely dispersed throughout the judicial districts. However, since under the bill returns will be required to be filed with, and tax paid to, the directors of the seven service centers, continuation of suits against collection officers would result in concentration of these suits in the seven judicial districts. Moreover, suits against collection officers in practice are merely an expedient for bringing the Government into court.[3] This is evidenced by the fact that the United States always reimburses the collection officer if the taxpayer prevails. Al-

[1] A special rule (which is not changed by the bill) provides generally for filing estate tax returns at the domicile of the decedent at the time of his death.

[2] The courts have held that where taxpayers are required to file a return in either of two judicial districts, venue for a willful failure to file prosecution lies in either district (*United States* v. *Commerford*, 64 F. 2d 28 (2d Cir. 1933), cert. denied 289 U.S. 759 (1933); *United States* v. *Citron*, 221 F. Supp. 454 (S.D. N.Y. (1963)).

[3] See, for example, the comments of the Supreme Court in *George Moore Ice Cream Company* v. *Ross*, 289 U.S. 373, 383 (1933).

though this bill abolishes the right of action by a taxpayer against a Government employee serving as the tax collector, this is done only because other adequate remedies either are already available, or are being made available by this bill, for the recovery of illegal collections.

Furthermore, these suits against district directors on occasion, have presented problems for the tax practitioners. For example, taxpayers have sued the current district director although his predecessor was the individual who collected the tax. The predecessor district director may have passed away, or have moved from the judicial district necessitating the bringing of the suit in a different judicial district. Sometimes the running of the statute of limitations bars taxpayers from bringing a second suit for refund after their first suit has been held to have been erroneously brought. Suits against district directors in some cases have also presented a problem for the Internal Revenue Service. Occasionally, taxpayers have thought that their cases would obtain more favorable action if brought in a judicial district other than the one of their residence and have therefore sued the district director where he resided in another judicial district, rather than the United States. The bill prevents this attempt to find a more favorable judicial district by restricting the taxpayer to his judicial district of residence.

For the reasons given above the bill adds a provision to present law which provides that suits for refund may be maintained only against the United States and not against an officer or employee of the United States. However, in order to preserve the right of aliens and foreign corporations to bring tax refund suits, the bill also modifies present law by permitting aliens and foreign corporations to bring such suits directly against the United States irrespective of whether the foreign country of citizenship or incorporation allows itself to be sued by U.S. citizens or corporations.

The bill also contains a provision which prevents a taxpayer who improperly brings a suit against the collection officer from being denied his right of action. In such a case the United States is to be substituted as the defendant. However, if the United States is so substituted, it may request that the case be transferred to the district or division in which it should have been brought had the suit initially been brought against the United States.

These amendments are applicable to suits brought against collection officers 90 days or more after enactment.

5. Venue for review of Tax Court decisions (sec. 3(c) of the bill and sec. 7482(b)(1) of the code)

Present law provides, in general, that decisions of the Tax Court are to be reviewed by the U.S. court of appeals for the circuit in which a return is filed.

As in the case of criminal prosecution for willful failure to file income tax returns, your committee agrees with the Committee on Ways and Means that under the new filing requirements, determining the court to which an appeal is to be taken from Tax Court decisions based on the place where the return was filed, would distort the dispersion of such cases among the various circuit courts. Since the regions served by the seven Internal Revenue Service centers are not coincident with the appellate court circuits, some circuits contain more than one service center and others contain none. In addition to the concentration of the appeals in some of the circuit courts, continuance of the existing provision would deprive other circuit courts of appeal of almost all jurisdiction in these cases.

As a result the bill provides that appeals from Tax Court decisions are to be made to the court of appeals for the circuit in which (in the case of a taxpayer other than a corporation) the taxpayer resides. Appeals by corporations are to be made to the court of appeals for the circuit in which they have their principal place of business or principal office or agency. For this purpose the residence, principal place of business, or principal office or agency of the taxpayer is to be determined as of the time he files his petition with the Tax Court. This provision of the bill is modeled after the provision of existing law which prescribes the venue for a refund suit against the United States in the district courts.

This change is to apply to all decisions of the Tax Court entered after the date of enactment of this bill.

6. Publicity of returns and disclosure of information (sec. 4 of the bill and secs. 6103 and 6107 of the code)

Present law contains two provisions which are designed to aid in the administration of the tax laws by permitting the public to ascertain whether or not specific taxpayers have filed their returns. These provisions require the Internal Revenue Service to maintain in each district office lists containing the names and post office addresses of persons who made returns in the district. These provisions apply to income tax returns and to certain excise tax returns.

The Internal Revenue Service proposes to maintain the income tax lists on microfilm and it is believed that making the microfilm and the necessary reading equipment available to the general public would not be practical. In addition, under the Service's automatic data processing system the income tax return lists will show the taxpayer's identification number which in most cases is also his social security number. Your committee, like the Committee on Ways and Means, does not believe that it is desirable to make these social security numbers generally available to the public because they can be used to obtain information from the social security offices relative to the wages of the individual. Your committee agrees with the Committee on Ways and Means, however, that whether or not a person has filed his tax return should continue to be a matter of public knowledge.

For these reasons, the bill amends present law to provide that upon inquiry the Internal Revenue Service is to furnish the inquirer information showing whether a particular person in the internal revenue district has, or has not, filed an income tax return. The lists of special excise taxpayers' returns will continue to be maintained in essentially the same form as under present law.

These amendments take effect upon the date of enactment of the bill.

7. Timely mailing treated as timely filing extended to returns and payments (sec. 5 of the bill and sec. 7502 of the code)

Present law provides that where a claim, statement, or other document, which is required to be filed by a specified date is properly mailed, the postmarked date is to be considered as the date on which it was filed. This provision however, does not apply to a return or to a payment of tax. The bill extends this rule to tax returns and payments.

The provision of this bill which permits the Secretary of the Treasury to require the filing of tax returns at service centers would technically require many taxpayers (for example, those in Hawaii) to mail their returns and payments at a much earlier date in order to insure delivery by the due date. The existing timely-mailing-timely-filing provision was enacted in 1954. At that time the rule was a new concept with which the Internal Revenue Service had had no experience. For this reason, the Service was concerned with applying it to returns and payments because of unforeseen problems which it believed might develop. Experience with the present provision since 1954 has allayed these fears, and in fact, the Service has in practice generally treated returns and payments which were mailed before the due date as being filed or paid on time.

For these reasons, the bill amends the existing timely-mailing-timely-filing provi- extended to returns but not to payments of tax. However, the special provision relating to registered mail which provides that registration is prima facie evidence of delivery is extended to returns but not to payments of tax. In addition, the timely-mailing-timely-filing provisions, as amended by the bill, are not applied to currency or other medium of payment unless they are actually received and accounted for, or to returns, claims, statements, or other documents or payments which are required to be delivered by any method other than by mailing. This latter exception applies, primarily, to certain documents relating to alcohol taxes which are required to be submitted directly to the internal revenue officer present on the manufacturer's premises.

Present law contains a special provision dealing with postmarks which are not made by the U.S. post office. Under the bill, this provision will apply to returns and payments as it has in the past to other documents filed with the Internal Revenue Service. Among the postmarks to which this provision applies are those made by postage metering machines. By continuing this provision of present law, this committee does not intend to downgrade postal metering devices. Applying the rule of present Treasury Department regulations, if an envelope (containing a tax return) bearing an April 15 postmark made by a postage meter is received by the Internal Revenue Service not later than the time it would ordinarily have been received had it been postmarked April 15 by the U.S. Post Office at the same point of origin, the return is considered as filed on April 15. In addition, where there is a delay in the receipt of a metered return by the Internal Revenue Service, if the person who is required to file the return established that it was actually deposited in the mail at a time at which stamped letters deposited at that location received timely postmarks and the delay was due to the postal service, the return will be treated as timely filed as in the case of stamped returns.

These amendments apply to mailing which occurs after their enactment.

IV. TECHNICAL EXPLANATION

The bill amends present law to authorize the Secretary or his delegate to require the filing of tax returns directly with the service centers. In addition, it contains other amendments related to direct filing.

Section 1. Centralized filing of returns and payment of tax

(a) *Place for filing returns.*—Subsection (a) of section 1 of the bill amends section 6091(b) of the Internal Revenue Code of 1954 (relating to place for filing returns required under authority of pt. II of subch. A of ch. 61 of the code). The returns which are required under the authority of such part II are tax returns as distinguished from information returns.

General Rule—Noncorporate Taxpayers

Section 6091(b)(1) of existing law provides in part that returns required under such part II (other than corporate or estate tax returns) shall be made to the Secretary or his delegate in the internal revenue district in which is located the legal residence or the principal place of business of the person making the return. Subparagraph (A) of section 6091(b)(1), as amended by the bill, provides that, except as provided in subparagraph (B) thereof, such a return shall be made to the Secretary or his delegate in the internal revenue district in which

is located the legal residence or principal place of business of the person making the return, or at a service center serving such district, as the Secretary or his delegate may by regulations designate.

General Rule—Corporate Taxpayers

Section 6091(b)(2) of existing law provides in part that corporate returns required under such part II shall be made to the Secretary or his delegate in the internal revenue district in which is located the principal place of business, or principal office or agency of the corporation. Subparagraph (A) of section 6091(b)(2), as amended by the bill, provides that except as provided in subparagraph (B) thereof, such return shall be made to the Secretary or his delegate in the internal revenue district in which is located the principal place of business or principal office or agency of the corporation, or at a service center serving such district, as the Secretary or his delegate may by regulations designate.

General Rule—Transitional Rules and Dual Venue

Under paragraphs (1)(A) and (2)(A) of section 6091(b), as amended by the bill, the Secretary or his delegate is authorized to require that income tax returns be filed either in the taxpayer's internal revenue district as under existing law, or with a service center serving his district. Thus, under the bill direct filing with service centers can be implemented in phases, on the basis, for example, of regions or types of returns.

Exceptions for Noncorporate Returns

Section 6091(b)(1) of existing law further provides that if a person (other than a corporation) has no legal residence or principal place of business in any internal revenue district, then his return shall be made at such place as the Secretary or his delegate may by regulations designate. Clause (i) of section 6091(b)(1)(B), as amended by the bill, restates this provision of existing law. Under clauses (ii), (iii), and (iv) of section 6091(b)(1)(B), as added by the bill, returns of citizens of the United States whose principal place of abode is outside the United States for the period with respect to which the return is filed; returns of persons who claim the benefits of section 911 (relating to earned income from sources without the United States), section 931 (relating to income from sources within possessions of the United States), or section 933 (relating to income from sources within Puerto Rico); and returns of nonresidential alien persons, shall be made at such place as the Secretary or his delegate may by regulations designate.

Exception for Corporate Returns

Section 6091(b)(2) of existing law further provides that if a corporation has no principal place of business or principal office or agency in any internal revenue district, then it shall make its returns at such place as the Secretary or his delegate may by regulations prescribe. Clause (i) of section 6091(b)(2)(B), as amended by the bill, restates this provision of existing law. Under clauses (ii) and (iii) of section 6091(b)(2)(B), as added by the bill, returns of corporations which claim the benefits of section 922 (relating to special deduction for Western Hemisphere trade corporations), section 931 (relating to income from sources within possessions of the United States), or section 941 (relating to the special deduction for China Trade Act corporations); and returns of foreign corporations, shall be made at such place as the Secretary or his delegate may by regulations prescribe.

Under the authority contained in paragraphs (1)(B) and (2)(B) of section 6091(b) as amended by the bill, the Secretary of the Treasury or his delegate may require by regulations that the returns of persons referred to in section 6091(b)(1)(B) (ii), (iii), and (iv), and section 6091(b)(2)(B) (ii) and (iii), be filed with the Director of the Office of International Operations, rather than with a district director or the director of a service center.

Hand-Carried Returns

Paragraph (3) of subsection (a) of section 1 of the bill adds a new paragraph (4) to section 6091(b) to provide an additional exception to the application of paragraphs (1)(A) and (2)(A) of section 6091(b), as amended. New paragraph (4) provides that notwithstanding new paragraph (1) or (2), a return to which paragraph (1)(A) or (2)(A) of section 6091(b), as amended, would apply, but for such new paragraph (4), which is made to the Secretary or his delegate by hand-carrying shall, under regulations prescribed by the Secretary or his delegate, be made in the internal revenue district referred to in paragraph (1)(A)(i) or paragraph (2)(A)(i) of section 6091(b) as amended, as the case may be.

Thus, for example, a return referred to in section 6091(b)(1)(A) which is made to the Secretary or his delegate by hand-carrying shall be made in the internal revenue district in which is located the legal residence or principal place of business of the person making the return, rather than with the service center serving such district. A return is not made by hand-carrying if it is, for example, mailed to the Internal Revenue Service. However, a return is made by hand-carrying if it is, for example, brought into an Internal Revenue Service office located within the proper internal revenue district by the person making the return or by his personal representative.

(b) *Place for paying tax shown on return.*—Subsection (b) of section 1 of the bill amends section 6151(a) of the code (relating to time and place for paying tax shown on returns) to conform such provision to the changes made by subsection (a) of section 1 of the bill. Section 6151(a) of existing law provides that, in general, a person who is required to make a return of tax shall pay such tax to the principal internal revenue officer for the internal revenue district in which the return is required to be filed. Subsection (a) of section 6151, as amended by the bill, provides that such tax shall be paid to the internal revenue officer with whom the return is filed.

Section 2. Related amendment concerning venue for criminal cases

Section 2 of the bill amends section 3237(b) of title 18 of the United States Code (relating to certain offenses committed in more than one district) to permit a person who is prosecuted under section 7203 of the Internal Revenue Code of 1954 (relating to willful failure to file return, supply information, or pay tax) in a judicial district other than the one in which he resides to elect to be tried in the judicial district in which he resided at the time the alleged failure occurred. Under paragraph (4) of section 6091(b) of the 1954 code which is added by subsection (a) of section 1 of the bill, a person who makes a return described in section 6091(b)(1)(A) or (b)(2)(A) by hand-carrying shall make such a return in his local internal revenue district. However, in all other cases the Secretary is authorized to require that such return be made with the service center serving such district. Thus, in the case of such returns all taxpayers would be required to make their returns with either their District Director or the service center, depending upon their method of transmitting the returns. Accordingly, venue for a prosecution under section 7203 for willful failure to file such a return would lie in either the judicial district in which the District Director's office or the judicial district in which the service center is located.

Section 3237(b) of title 18 of existing law provides that with respect to certain crimes described in the Internal Revenue Code (but not including crimes described in sec. 7203) where an offense involves use of the mails and where prosecution is begun in a judicial district other than the district in which the defendant resides, he may, upon timely motion filed in the district in which the prosecution is begun, elect to be tried in the district in which he was residing at the time the alleged offense was committed.

Section 3237(b), as amended by the bill, is expanded to include offenses described in section 7203 even though such offense does not involve use of the mails. Thus, for example, in a case where a taxpayer who resides within judicial district R is required to make his return either by hand-carrying it to a District Director within judicial district D or otherwise make his return with a service center located within judicial district S, and if such a taxpayer is prosecuted under section 7203 in either judicial district D or S, he may elect, under revised section 3237(b), to be tried in judicial district R wherein he resides.

Section 3. Related amendments concerning venue for civil cases

(a) *Abolition of refund suits against collection officers.*—Subsection (a) of section 3 of the bill amends section 7422 of the Internal Revenue Code of 1954 (relating to civil actions for refund) by redesignating subsection (f) as subsection (g) and by adding a new subsection (f) to abolish refund suits against collection officers. Under existing law, taxpayers may bring a suit for refund of taxes against either the official to whom the tax was paid, or the United States. Thus, if the tax is paid to the director of a service center, under existing law the director would be subject to suits for refund of such tax, and, consequently, venue for such suits would lie in the judicial district in which the service center director resides.

General rule

Paragraph (1) of section 7422(f), as added by the bill, provides that a suit or proceeding for the recovery of any internal revenue tax, penalty, or sum alleged to have been erroneously, illegally, or in any manner wrongfully collected, may be maintained only against the United States and not against any officer or employee of the United States (or former officer or employee) or his personal representative.

Section 2502 of title 28 of the United States Code provides that citizens or subjects of any foreign government which accords to citizens of the United States the right to prosecute claims against their Government in its courts may sue the United States in the Court of Claims if the subject matter of the suit is otherwise within such court's jurisdiction. New paragraph (1) of section 7422(f) further provides that such a suit may be maintained against the United States notwithstanding the provisions of such section 2502.

Misjoinder and change of venue

Under existing law if a suit for a tax refund is brought against an individual other than the officer who collected the tax, the court may dismiss the suit as having been brought against the wrong party. The first sentence of paragraph (2) of section 7422(f), as added by the bill provides that if a suit or proceeding brought in a district court against an officer or employee of the United States (or former officer or employee) or his personal representative is improperly brought solely by virtue of the abolition of such refund suits by new section 7422(f)(1), then the court shall order, upon such terms as are just, that the pleadings be amended to substitute the United States as a party for such officer or employee as of the time such action commenced, upon proper service of the United States. However, the second sentence of new section 7422(f)(2) provides that such

suit or proceeding shall upon request by the United States be transferred to the judicial district or division where it should have been brought if such action had been initially brought against the United States.

Thus, where a taxpayer residing within the R judicial district brings an action in the S judicial district for refund of taxes against the director of a service center who resides within such S judicial district (instead of suing the United States in the R judicial district), if such suit is improperly brought solely because such a suit is abolished under new section 7422(f)(1), then under the first sentence of new section 7422(f)(2), the S district court shall substitute the United States as a party for such director as of the time the action commenced. However, upon motion by the United States, such suit shall be transferred to the R judicial district (in which such taxpayer initially would have had to sue the United States).

(b) *Technical amendment.*—Subsection (b) of section 3 of the bill amends section 2502 of title 28 of the United States Code (relating to aliens' privilege to sue under Court of Claims procedure) by redesignating the existing provision as subsection (a), and by adding a new subsection (b) which contains a cross-reference to new section 7422(f) of the Internal Revenue Code of 1954.

(c) *Venue for review of Tax Court decisions.*—Subsection (c) of section 3 of the bill amends section 7482(b)(1) of the Internal Revenue Code of 1954 (relating to venue for review of decisions of the Tax Court) to provide in general that appeals from the Tax Court are to be made to the court of appeals for the circuit wherein the taxpayer resides or has his principal place of business, rather than the court for the circuit wherein he files his return. Section 7482(b)(1) of existing law provides that a Tax Court decision (except where otherwise designated by a stipulation in writing by the parties) may be reviewed by the court of appeals for the circuit in which is located the office to which was made the return of the tax in respect of which the liability arises, or, if no return was made, then by the Court of Appeals for the District of Columbia. The first sentence of paragraph (1) of section 7482(b), as amended by the bill, provides that (except as otherwise so stipulated) such a decision may be reviewed by the court of appeals for the circuit in which is located the legal residence of a noncorporate petitioner, or in which is located the principal place of business or principal office or agency of a corporate petitioner. The first sentence of new paragraph (1) further provides that if a corporation has no principal place of business or principal office or agency in any judicial district, then such a decision may be reviewed by the court of appeals for the circuit in which is located the office to which was made the return of the tax in respect of which the liability arises.

The second sentence of new paragraph (1) provides that in all other cases such a decision may be reviewed by the Court of Appeals for the District of Columbia. The last sentence of new paragraph (1) provides that the legal residence, principal place of business, or principal office or agency referred to in new paragraph (1) shall be determined as of the time the petition seeking redetermination of tax liability was filed with the Tax Court.

The application of new section 7482(b)(1) may be illustrated by the following example: A, an individual, files his 1967 income tax return at a service center located in the S judicial circuit. While residing in the R judicial circuit, A files a petition with the Tax Court seeking redetermination of his tax liability. A does not enter into a stipulation as to venue for an appeal to a court of appeals for a particular circuit. In such a case a decision by the Tax Court may be reviewed, under existing law, only by the court of appeals for the S circuit, since A filed his 1967 return in such circuit. Under paragraph (1) of section 7482(b), as amended by the bill, such decision may be reviewed only by the court of appeals for the R circuit (whether or not A resided in such circuit when he filed his 1967 return).

In the above example, if A had brought a suit against the United States in a district court, the court of appeals for the R circuit (within which A resides) would, in the usual case, review such district court's decision.

(d) *Effective dates.*—Subsection (d) of section 3 of the bill provides effective dates for the amendments made by subsections (a), (b), and (c) of section 3. The first sentence of subsection (d) provides that the amendments made by subsections (a) and (b) shall apply to suits brought against officers, employees, or personal representatives referred to therein which are instituted 90 days or more after enactment of this bill. The second sentence of subsection (d) of section 3 provides that the amendment made by subsection (c) shall apply to all decisions of the Tax Court entered after the date of enactment of this bill.

Section 4. Publicity of returns and disclosure of information

(a) *Disclosure of information as to persons filing income tax returns.*—Paragraph (2) of subsection (a) of section 4 of the bill amends section 6103 of the Internal Revenue Code of 1954 (relating to publicity of returns and lists of taxpayers by revising subsection (f). Section 6103(f) of existing law provides, in general, that the Secretary or his delegate shall cause to be prepared for public inspection in each internal revenue district lists of persons making an income tax return in such district. Subsection (f) of section 6103, as amended by the bill, provides that the Secretary or his delegate shall, upon inquiry as to whether any person has filed an income tax return in a designated internal revenue district for a particular taxable year, furnish to the inquirer, in such manner as the Secretary or his delegate may determine, information showing that such person, has, or has not, filed an income tax return in such district for such taxable year. Under the revised subsection (f), lists of taxpayers would no longer be required to be maintained. Thus, a District Director is authorized to furnish information showing whether a person has, or has not, filed an income tax return with the Internal Revenue Service for a particular taxable year.

(b) *Technical amendments.*—Paragraph (1) of subsection (a) of section 4 of the bill revises the heading of section 6103 to reflect the changes made to subsection (f). Subsection (b) of section 4 of the bill amends the table of sections for subchapter B of chapter 61 to reflect the change in the heading of section 6103.

(c) *List of special taxpayers for public inspection.*—Subsection (c) of section 4 of the bill amends section 6107 of the Internal Revenue Code of 1954 (relating to list of special taxpayers for public inspection). Section 6107 of existing law requires that a list (similar to the list required with respect to income tax returns under existing sec. 6103 (f) of the code) of the names of all persons who have paid special taxes under subtitle D or E of the code within an internal revenue district be kept available for public inspection in the principal internal revenue office for that district. The special taxes imposed by subtitles D and E of the code relate in general to certain taxes on wagering, coin-operated devices, narcotics, alcoholic beverages, and tobacco.

Section 6107, as amended by the bill, requires that such a list be maintained of persons who paid such special taxes with respect to a trade or business carried on within such district. Therefore, even if such special taxes are paid at a service center serving such district, the list of taxpayers is to be kept available in the district internal revenue office as under existing law.

Section 5. Timely mailing treated as timely filing extended to returns and to payments

(a) *General rule.*—Subsection (a) of section 5 of the bill amends section 7502 of the Internal Revenue Code of 1954 (relating to cases where timely mailing is treated as timely filing) to make the provisions of that section applicable to any return, claim, statement, or other document required to be filed, or to any payment required to be made, under authority of any provision of the internal revenue laws. Section 7502 presently does not apply to any return or other document required under authority of chapter 61 of the code, nor to any payment.

Subsection (b), subsection (c)(2) and subsection (d)(1) of section 7502, as amended by the bill, restate existing law.

Paragraph (1) of section 7502(a), as amended by the bill, provides in general that if any return, claim, statement, or other document, or any payment, required to be made within a prescribed time, is, after such time, delivered by mail to the proper office, the date of the U.S. postmark stamped on the cover of such document or payment shall be deemed to be the date of delivery or payment, as the case may be.

Paragraph (2) of section 7502(a), as amended by the bill, restates existing law with respect to mailing requirements, but extends the applicability of such requirements to returns and payments.

Section 7502(c)(1) of existing law provides that if a document referred to in section 7502(a) is sent by U.S. registered mail, such registration is prima facie evidence of such document's delivery and the date of registration is deemed to be the postmark date. Paragraph (1) of section 7502(c), as amended by the bill, extends to both returns and payments the rule that the registration date is the postmark date, but it extends only to returns, and not to payments, the rule that registration is prima facie evidence of delivery.

Paragraphs (2) and (3) of section 7502(d), as added by the bill, provide, moreover, that section 7502 shall not apply with respect to currency or other medium of payment unless it is actually received and accounted for; and shall not apply with respect to returns, claims, statements, or other documents, or payments which are required by statute or regulations thereunder to be delivered by any method other than by mailing. Thus, section 7502 is not applicable to a cash payment unless it is actually received by the proper office and a receipt is given or the payment is credited to the taxpayer's account. Further, this section is inapplicable to a check tendered in payment unless such check is actually received by the proper office and the check is honored upon presentment. Certain documents relating to alcohol taxes are currently required by regulations prescribed by the Secretary or his delegate to be submitted directly to an internal revenue officer located on the premises of the person submitting the documents. Section 7502 does not apply to the submission of such documents.

(b) *Technical amendment.*—Subsection (b) of section 5 of the bill amends the table of sections for chapter 77 to reflect the change in the heading of section 7502.

(c) *Effective date.*—Subsection (c) of section 5 of the bill provides that the amendments made by subsections (a) and (b) of section 5 shall apply only if the mailing occurs after the date of the enactment of the bill.

Section 6. Effective dates

Section 6 of the bill provides that, except as otherwise specifically provided in the bill,

the amendments made by the bill shall take effect upon the date of enactment of the bill.

Mr. WILLIAMS of Delaware. For the information of the Senate, I should like to read one paragraph of this report. We recognized that as this new system of filing tax returns in central offices is inaugurated, there will be instances in the next few years in which many taxpayers will, from force of habit, continue to mail their reports to the district office, as they have done heretofore. Therefore, to protect these taxpayers the committee has put this paragraph in the report:

During the period of transition from filing tax returns with district directors to filing them with the service centers, it is inevitable that some taxpayers will, in all good faith, mistakenly mail their tax returns to the district directors as they have in the past. The Treasury Department has assured this committee that in these cases the penalty for failure to file a timely tax return will not be imposed.

I ask that the bill be approved.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

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

Subsequently, the following proceedings were had:

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate reconsider the vote by which H.R. 6958, Calendar No. 1592, was passed, together with the third reading.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The bill is before the Senate.

Mr. LONG of Louisiana. Mr. President, this measure will save the taxpayers several million dollars. These new data processing machines will make it possible to mail the tax returns to central offices, in about seven central points in the country.

The Treasury has worked very hard on this matter, and they are to be commended.

Under the provisions of this bill, it will not be necessary to mail tax returns to so many different places. The Treasury will send out letters to the taxpayers which will be addressed to the appropriate office.

We have discussed the details of this bill, and I know of no real objection to it.

Mr. MILLER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. MILLER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

Amend Section 1861(v) of the Social Security Act, as amended, by inserting the following two paragraphs after paragraph (1) and before paragraph (2) as subparagraphs (2) (a) and (b) and renumber paragraphs (2), (3), and (4) respectively as paragraphs (3), (4) and (5):

"(2)(a) 'Reasonable Costs' for extended care facilities shall include a return on the fair market value of the facility (determined in accordance with FHA or similar appraisals) sufficient to attract capital investment. Capital investment made for a specific purpose, namely, extended care facilities, is entitled to a return greater than that available through investment in risk free securities.

"(b) In determining reasonable costs under this subsection, the Secretary shall consider, among other things, the need of extended care facilities for (1) replacement of plant and equipment, (2) modernization and growth, specifically provisions through earnings for the long range amortization of the principal of indebtedness incurred to finance modernization and growth, (3) research and comprehensive health planning, (4) reasonable rentals and reasonable interest-type returns on properties and money capital where supplied by the providers, (5) provisions for uninsurable risks and other business-type responsibilities, as well as property, income and other taxes, where these cannot be shifted and are borne by proprietors and (6) payment of a return greater than that customarily paid (a) to public utility companies because of the recognition that extended care facilities operate in a competitive field and (b) to investors in risk free ventures. Insofar as any of these factors are applicable either to proprietary or to nonprofit facilities, the Secretary shall consider such factors in determining reasonable costs for proprietary and for nonprofit facilities, notwithstanding the fact that such application may result in different costs for one type of facility than for the other."

Mr. LONG of Louisiana. Mr. President, as I understand the amendment, it would permit the nursing homes to make a modest profit for the money they have invested in nursing homes.

I was very much dismayed to find that some prejudice existed somewhere in the Department against nursing homes making a profit on invested money, even if they borrowed the money and paid interest on it. I must say that the Department has been moving in the direction of permitting these people to make at least a decent profit on the money which they have invested in nursing homes.

I was dismayed in the beginning to find that they were not willing to permit the people to make any profit for the money that they had spent building nursing homes. It was disturbing to me to find that they had no understanding of the enterprise involved by the people who invest money.

The Department has been moving in the same direction as the Senator from Iowa [Mr. MILLER]. Unfortunately, they are moving fairly slowly but they have made progress. I commend them for that.

The Senator from Iowa [Mr. MILLER] wishes to emphasize this need. I would be willing to take the matter to conference. Nursing homes, particularly those with private ownership, have been badly treated. I realize that they have made a mistake. The Senator from Iowa has highlighted this problem.

I cannot assure the Senator from Iowa that we will get results, but the matter should be considered.

Mr. MILLER. Mr. President, I thank the Senator from Louisiana [Mr. LONG] for those gracious comments. I realize that the pending bill is uncontroversial, but kindness is the essence of the problem that is involved and that is why I offered the amendment.

There are thousands of people hoping to obtain nursing home care under the medicare bill. If something is not done soon there may be thousands of these people who will not receive the care to which they are entitled, because not only proprietary but nonprofit nursing homes are faced with a crisis in view of the regulations proposed by the Department.

Mr. President, my amendment is not designed to permit overreaching on the part of anyone. The amendment would set forth broad guidelines, leaving discretion in the Department.

I have discussed the amendment with senior Members from both sides of the aisle who are on the Committee on Finance, and they are quite favorable to the amendment. I believe that the amendment has much merit, and that timing is essential.

I would appreciate it if the amendment could be taken to conference, and I hope that the Ways and Means Committee understands the realities, because this is a national problem which does not affect one or two States, but affects all States.

Mr. LONG of Louisiana. I have found that the Senator discussed the matter with the minority leader [Mr. DIRKSEN], the ranking Democratic member [Mr. SMATHERS], as well as the ranking Republican member [Mr. WILLIAMS of Delaware], and the next ranking Republican member [Mr. CARLSON]. Has the Senator discussed the matter with them and obtained their views?

Mr. MILLER. The Senators with whom I have discussed the exact language of the amendment are the Senator from Delaware [Mr. WILLIAMS], the ranking Republican, and also the Senator from Florida [Mr. SMATHERS], who is not only a senior member of the Committee on Finance but is chairman of the Special Committee on Aging, on which I am privileged to serve, and he is conversant with the problem. Both of those Senators have indicated approval of the amendment.

Mr. LONG of Louisiana. I believe that the Senator from Iowa [Mr. MILLER] made a speech about this matter on the floor of the Senate some days ago and explained the problem.

As far as I am concerned, if it be the will of the Senate, I would be glad to take it to conference to see what we can work out.

Mr. MILLER. I appreciate the Senator's sentiments. I am sure that there will be thousands of people who are entitled to nursing home care who will bless the Senate for taking action at this time.

Mr. LONG of Louisiana. The Senator has performed a fine service in this matter, discussing it with other Senators, and seeking to work out the matter.

I hope very much that the House would be willing to discuss the matter with us.

As far as I am concerned, I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa [Mr. MILLER].

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

SEVERE PILOT SHORTAGE

Mr. MONRONEY. Mr. President, 2 years ago the Federal Aviation Agency completed a study of the aviation manpower needs of this country entitled "Project Long Look." It disclosed that there was a growing shortage of highly skilled aviation personnel which would reach crisis proportions in a very short time, if the existing training system was not improved and expanded.

The FAA's predictions have been proved accurate in an even shorter time than anticipated. A recent article in the New York Times points out the severe shortage of airmen which exists now in the Military Establishment. While Project Long Look devoted itself primarily to civilian needs, most of the aviation industry needs have been met by recruiting pilots, mechanics, navigators and other skilled personnel from the armed services where they had obtained their training.

One of the problems mentioned in Project Long Look was the drying-up of this source of aviation personnel, as a result of the deemphasis of manned aircraft within the Defense Department. The New York Times article indicates that this deemphasis has caught up with the Defense Department itself and the Department now finds itself with a severe shortage of trained pilots to meet our requirements in Vietnam.

The article states that Secretary McNamara is considering an expanded Air Force training program to raise the number of pilots by about 75 percent over the next 9 years. I think such a program is in order and long overdue.

But I also think that any such program of increased Air Force training must be supplemented by a reoriented and expanded program for the training of young persons in college. Not only is there a need for such trained people in the military. There is also a great need for more people to satisfy the increasing growth of the civilian aviation industry, including the airlines, as well as the growing requirements of the corporate aviation sector.

Several colleges and universities have put together sound curriculums to train qualified young people in the fields of pilot training, navigation, engineering, aircraft maintenance, and flight operations—all of which are essential to the conduct of modern aviation. This type of training is, however, expensive both to the university and to the student. Except for the limited amount of Federal assistance available to veterans for this type of training, there is no Federal program of consequence to encourage young people to enter this vocational field.

I believe it would be wise to establish such a program of Federal loans for the training of young people in aviation fields in order to satisfy the growing needs of the Military Establishment and the civilian aviation industry. All aviation jobs from mechanics to pilots are jet-age jobs requiring a great deal of intelligence, knowledge, and skill. With the increasing complexity of modern aircraft, navigation systems, and air traffic control procedures, training on the college level is a necessity. The pilots and mechanics of older days who flew by the seat of their pants and knew how to fix airplanes with a pair of pliers and a screwdriver have long since retired.

A federally sponsored loan program would be a sound and secure investment on the part of the Federal Government. The jobs which the recipients of the loans would obtain upon graduation are high-paying, professional jobs and repayment of the loans would not be difficult.

I hope that Secretary McNamara's program for expanded Air Force training will be put into effect soon. At the same time, I believe serious consideration must be given in the next Congress to expanding the loans available under our higher education programs to include training in these vital aviation fields. I intend to ask General McKee, the Administrator of the Federal Aviation Agency, to give me the latest available figures on the needs of the civilian aviation community. I hope the 90th Congress will direct its attention to this serious problem.

Mr. President, I ask unanimous consent to have the New York Times article printed at the conclusion of my remarks.

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

SEVERE SHORTAGE OF AIRMEN SEEN—AIDE SAYS MCNAMARA ACTS TO SOLVE THE PROBLEM

WASHINGTON, September 17.—The Air Force and the Navy are facing what some military officials describe as a severe shortage of young pilots—a shortage they said may not be eased until the early 1970's.

In a series of interviews, top officers said the shortage was largely due to two factors: the increased United States commitments in Vietnam and the increased demand for trained pilots in the booming airline industry.

The situation is so serious, some sources said, that within the last two years about 2,000 qualified but nonflying officers—many of them in key administrative positions—were ordered back into the cockpits.

The matter is receiving the attention of Secretary of Defense Robert S. McNamara, who is now considering an expanded Air Force training program. Current programs will raise the number of pilots 30 years old and younger by about 75 per cent over the next nine years. The Defense Secretary will be handed a similar proposal from the Navy soon, qualified sources said.

"This has been a high priority subject," one Pentagon source said, "I don't think anything is higher on the Secretary's list."

Despite the over-all shortage, top military officials emphasize that all manpower needs in Vietnam and in the Strategic Air Command are being met. But they concede that elsewhere things often are not up to par.

"We have a tremendously distinct problem," one high-ranking Air Force officer said. "Right now we have a pretty severe shortage of younger pilots." The facts are these:

¶Thousands of pilots in Vietnam are scheduled to be rotated back to the United States this year and must be replaced. Officials indicated that some pilots may have to return for a second tour unless the picture changes by 1969.

¶The Air Force is planning more extensive use of the F–4 Phantom jet, which requires two pilots. In addition, the Air Force hopes to begin using a two-pilot version of the F–111 as soon as production of that new jet begins.

¶The heavy step-up in the air war. In one day last week United States pilots flew 150 missions over North Vietnam involving at least 450 planes and 387 individual sorties over South Vietnam. Last Sunday pilots set a record by flying 170 attack missions in North Vietnam.

Through Thursday, a total of 211 Air Force personnel and 38 Navy men, most of them presumably pilots, were officially reported as missing in connection with the Vietnam war.

Latest figures also show 222 Air Force and 158 Navy men known dead in connection with the war. Sources said most of these were pilots.

Many more pilots are needed and used on training missions stemming from the many adjustments qualified pilots needed before going to Vietnam and after being rotated back for United States duty.

On top of all this, the Air Force and the Navy report a drop in the pilot re-enlistment rate. Much of it stemming from airlines recruiting.

Reflecting the concern over pilots, the Air Force and the Navy recently surveyed sample groups of resigning officers to determine the impact of airline recruiting efforts.

The Air Force study showed that 60 per cent of its senior pilots intended to become commercial pilots after separating from the service. A similar survey in 1964 showed that only 5 per cent of the resigning officers planned to join an airline.

The Navy reported, in response to a query, that about 67 per cent of its pilots who resigned in the fiscal year that ended last June 30 ended up working for the airlines.

Although Pentagon officials are reluctant to talk about it, there is another reason for the lagging re-enlistment rates: A few pilots in Vietnam have turned in their wings rather than fly in the war.

But top officers say that fear of Vietnam duty is not a major factor. However, Gen. John P. McConnell, Air Force Chief of Staff, recently told Congress that the "rate of officers voluntarily leaving the Air Force increased from 4.4 per cent in the fiscal year 1965 to 6.2 per cent in the second quarter, fiscal year 1966."

And the Navy reported that all indications show that its current retention rate for officers is declining, although it did not supply any specific figures.

A Defense Department official defended Mr. McNamara's present and past policies on pilot training, saying there is no shortage now that amounts to anything more than a question of the number of pilots now serving in non-combat positions.

After World War II, he explained, "many excess aviator requirements were developed by the services to accommodate the large number of pilots left over."

When these services talk of pilot shortages, he said, they are including the aviation requirements built-in to many nonflying jobs. What is needed, he said, is not so much talk about shortages but a careful Pentagon analysis of the aviation requirements for all staff jobs to determine how and why they were developed.

PRESIDENT NASSER'S IMPERIALISM IN THE NEAR EAST

Mr. JAVITS. Mr. President, I wish to call attention to a strange development in the Middle East relating to what is now President Nasser's imperialism. The world has for many years been treated to the outpourings of Cairo radio labeling the United States, the United Kingdom, and other free world countries as "imperialists". Recent developments in Yemen now show the hypocrisy of these diatribes for President Nasser is himself caught redhanded doing what his propagandists charge against us. It brings to mind the classic French saying: "Qui s'excuse, accuse"—"Who would excuse himself, accuses."

Egyptian President Nasser has engineered a coup in Yemen so audacious as to move the New York Times in an editorial this morning to label the new republican government there as Nasser's "transparent puppet." This new takeover is in keeping with the Nasserite philosophy spelled out in his book on the theory of the Egyptian revolution—the assertion of an Egyptian hegemony over the Arab and the Moslem worlds.

It is a most damaging fact that this takeover was made possible by Soviet arms. Yet even the U.S. food aid policy to President Nasser is said to have contributed to the outcome. Writing in the October 18, 1963, New York Times on the occasion of the beginning of the second year of Egyptian military intervention in Yemen, Times correspondent Dana Adams Schmidt commented:

> Everyone concerned is keenly aware that the United Arab Republic could not carry on the war [in Yemen] without United States food aid and financial support. Furthermore, United States recognition of the republican regime, even though it was shaky, and still fighting for control of its territory, amounted to a political act of support.

In the spring of 1963, when the Egyptians were concerned with military opposition from Saudi forces in Yemen, the United Arab Republic indicated both its willingness and the willingness of the Republic of Yemen for the United Nations to supervise an agreement barring outside interference in Yemen's civil war.

This call for United Nations intermediation in the Yemen should now be taken up by our own Government to bring peace to an area torn by war for 4 years and to restore freedom to a people oppressed by as cynical a foreign imperialist as ever conceived by Cairo's own propagandists—Cairo itself. We should not sit idly by as freedom's light—even though it may now be but a faint flicker of that flame—is extinguished in still another country. As today's New York Times editorial points out:

> It is indicative of the double standard that prevails in today's cynical world that so few voices are to be heard demanding self-determination for the people of Yemen and the exit of the foreign troops who are now such unwelcome guests there.

I ask unanimous consent that this editorial be printed in the RECORD.

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

COUP IN YEMEN

Egypt's President Nasser has taken some substantial risks by sanctioning the recent coup in Yemen that makes the new republican government there his transparent puppet.

President al-Salal, who has taken over the Premier's post, has never concealed his pro-Egyptian sympathies, and in fact returned to Sana only last month after having been in Cairo for most of the past year. It is a measure of al-Salal's weakness that, even though supported by the tens of thousands of Egyptian troops still in Yemen, he did not act until the man he ousted, Premier el-Amri, had gone to Egypt, where Nasser could physically detain him if necessary.

This cynical Egyptian strongarm move is a propaganda windfall for the royalists, who can now argue that they are fighting for Yemen's independence. Their argument is likely to find receptive ears among many of the moderate republicans who have chafed increasingly this past year at the growing evidence of Nasser's desire to be the real boss in Yemen. The Egyptian President now has many of the important leaders of the independent-minded republicans under his control in Cairo. But he faces the danger that some of their followers in Yemen will react to the coup by deciding to cooperate with the royalists against the Egyptians. Meanwhile, in Egypt itself this crude move is likley to be taken as evidence that Nasser intends to continue his expensive and unpopular Yemen adventure.

It is indicative of the double standard that prevails in today's cynical world that so few voices are to be heard demanding self-determination for the people of Yemen and the exit of the foreign troops who are now such unwelcome guests there.

Mr. JAVITS. Mr. President, I wish to call attention to the last paragraph of the editorial which states:

> It is indicative of the double standard that prevails in today's cynical world that so few voices are to be heard demanding self-determination for the people of Yemen and the exit of the foreign troops who are now such unwelcome guests there.

THE PROPOSAL TO INVESTIGATE GUIDELINES ON CIVIL RIGHTS ACT OF 1964

Mr. JAVITS. Mr. President, this week the House will consider a proposal to investigate the Department of Health, Education, and Welfare guidelines to enforce title VI of the Civil Rights Act of 1964.

I support those guidelines and urge others to speak up and back the Department of Health, Education, and Welfare in efforts to enforce the law and provide equal educational opportunities for all Americans.

I have been informed today that Federal funds have been terminated or deferred in 258 school districts in the United States, penalizing 1 million children.

Ralph McGill, a distinguished southerner, has correctly placed the blame on the intransigent school districts who refuse to obey the law, not on the Federal Government.

Mr. President, I ask unanimous consent to have printed in the RECORD Mr. McGill's column entitled "Children the Victims in Guideline Controversy," which appeared in the Washington Star of yesterday.

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

CHILDREN THE VICTIMS IN GUIDELINE CONTROVERSY

(By Ralph McGill)

A cold-blooded, calculating willingness to sacrifice children and their future for a long time has been the dominant ingredient of the more egregious distortions of facts by political persons on the make for votes.

An illustration is the educational guidelines.

They are being attacked by most exaggerated falsehoods. Some are so preposterous as to make one wonder if those delivering them have any shred of political principle or concern for the educational future in their states.

It now is well understood that public money may not be spent to maintain or permit segregated public facilities. The guidelines do nothing more than say that to be eligible for federal aid a school system must obey the laws made by the Congress of the United States and the decisions of courts declaring these laws constitutional!

The federal government does not "cut off" funds from a school district or state. To say so is a deliberate falsehood. Certainly none would insist that a government agency continue funds to school districts that willfully violate the law. To do so would subject agency officials to arrest and conviction. If there is any "cutting off" of funds it is done by the law-defying local boards.

There is no national outcry against the guidelines. Political and demagogic agitation is largely confined to six Deep South states. Those persons urging defiance of the guidelines, the sole purpose of which is to give the best education possible to all the children, confess thereby that they are willing to sacrifice the children to inferior education—to discriminate against the children of their own district or state by perpetuating the present system of inferior opportunity. They are willing to do this to children because they think it may win them votes from those who do not understand the simple fact of the guidelines or who are so prejudiced as to be willing for their children to have less educational opportunity.

Today, after nearly a century of trying to support two inferior school systems with taxable income that will not pay for one good one, the facts of our educational life are before us.

Our public school system has advanced. But in all aspects it is below the national average in payment to teachers, in money spent per pupil. There is a national shortage of teachers. It is worst in the Deep South states. Georgia's payments to teachers are lower than those of Alabama and Florida. South Carolina, Arkansas, Mississippi, and South Dakota pay teachers less than the other 46 states. In higher education only one Southern institution, Duke, meets even the minimum salary for faculty as set by the American Association of University and College Professors. Our graduate schools are not listed among the nation's best. Our state institutions annually drop out a high percentage of freshmen poorly prepared in the state high schools. We are on the way, but meanwhile, political leadership seeks to halt advancement and destroy what has been achieved by a fight against federal cooperation and assistance.

We may ask, weighing the falsehoods and those who preach them, if that is what we want for our children. They increasingly face an educationally dominated competitive life. Are the diehard racists so cruelly prejudiced they will sacrifice their own chil-

dren just to be sure a Negro child isn't in the school?

They can't win. Their proposals clearly are unconstitutional. All they can do is create chaos and further reduce the quality of education. Teachers will go where decency and salary make a career possible.

Yet, in six Southern states there are men who seemingly will do anything, however destructive to the present and future of education, if they think they can arouse fear and prejudice and thereby attract votes. History will write its judgment of such men as it has written it of their counterparts in our past history.

EUGENE McCARTHY, U.S. SENATOR FROM MINNESOTA

Mr. YOUNG of Ohio. Mr. President, under the leadership and direction of its publisher and editor, Paul Block, Jr., the Toledo Blade, of Toledo, Ohio, has become universally recognized as one of the very great newspapers in the United States. Its coverage of international, national, State, and local news has achieved a standard of excellence which has made it a model for other newspapers to follow.

In its issue of September 18, 1966, there appeared an article by the distinguished senior Senator from Minnesota [Mr. McCARTHY] entitled "The United States: Supplier of Weapons to the World." This article, magnificently written, originally appeared in the Saturday Review. I wish that other publishers and editors throughout the Nation would follow the example of Paul Block, Jr., and make Senator McCARTHY'S views on this important subject available to their readers.

Mr. President, one of the most vital and pressing problems facing the world today is the search for a means to control the threat of proliferation of nuclear weapons among nations and the danger that this holds for the future of the human race. It is sometimes forgotten that there is an even more serious immediate threat to world peace, and that is the proliferation and distribution of standard weapons. Virtually all great industrial nations, not excepting our own, are deeply engaged in the sale and distribution of conventional weapons to nations throughout the world.

Senator McCARTHY clearly and concisely points out the danger that this poses to various areas of the world, and, in fact, to world peace itself. The distinguished senior Senator from Minnesota is to be congratulated on this important contribution to the understanding of a problem that has not heretofore received the attention it merits.

I commend this article to my colleagues and ask unanimous consent that it be printed in its entirety in the RECORD at this point as part of my remarks.

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

THE UNITED STATES: SUPPLIER OF WEAPONS TO THE WORLD—A LOOK AT ARMAMENTS EXPORT AND ITS FOREIGN-POLICY INFLUENCE

(By Senator EUGENE McCARTHY)

A LOOK AT THE RECORD

(NOTE.—Senator McCARTHY (D., Minn.) is an articulate liberal who was one of the signers of "a plea for sanity" issued last July 15 by 19 senators (including Chairman J. WILLIAM FULBRIGHT of the Foreign Relations Committee and Senator YOUNG of Ohio) calling on North Viet Nam "to refrain from any vengeance against the (captured) American airmen." The statement noted that the signers "have worked for an honorable settlement" and "have publicly criticized the mounting involvement of our country.")

Over the past 15 years, the United States has given or sold to other countries some $35 billion worth of military assistance as part of our foreign aid.

The major share of Defense Department arms supplied under our military assistance program has gone to industrialized countries in Europe and the Far East.

We have provided arms, equipment, and training to countries who are allied or associated with us through treaties—NATO, SEATO, CENTO, ANZUS—which are the legacy of the early years of the containment policy and of the John Foster Dulles era.

In addition, we have provided military aid to a wide range of countries in such categories as: "forward defense" areas, including the Republic of China (Taiwan), Iran, Philippines, South Korea, Greece, and Turkey (the last two countries are also allied to us through NATO); countries that have given us military base rights such as Ethiopia, Libya, Spain and our NATO ally Portugal; "Alliance for Progress Security" countries—virtually every country in Latin America; and some 23 countries in Asia, Africa, and the Middle East that are regarded as having "free world orientation."

Our interest and concern over the threat of nuclear proliferation should not distract us from giving careful attention to what may be an even more serious threat to peace—the proliferation and distribution of standard weapons. Supplying standard arms has become a major activity—not only for the modern merchants of death or for illegal gunrunners, but for the governments of the major industrial countries.

France, long a major supplier of arms to the Middle East, is reported to be exporting nearly 40 per cent of its total aerospace production. The Soviet Union is also a major supplier of arms. Great Britain is actively engaged in the arms competition. But today the United States is the world's leading producer and supplier of arms.

In recent years, sales of arms have been taking the place of grants and gifts in U.S. military assistance programs. In 1950, the 14 countries that obtained U.S. arms and military training all received these on a grant basis. In 1966, of the 70 countries that received any combination of grant aid, direct sales or credit assistance for arms, 62 were receiving grant aid, 34 were buying arms directly, and 18 were the beneficiaries of credit assistance.

The principal purpose of most military aid, whether it be in the form of grants or sales, is of course, to strengthen recipient countries against Communist aggression and subversion.

Secretary of Defense Robert McNamara, in testimony before the Senate Foreign Relations Committee on April 20, 1966, stated:

"The governing principle of our military assistance program has been and is that the vital interests of the United States and the defense of the free world are dependent upon the strength of the entire free world and not merely upon the strength of the United States."

Over the past decade, however, intergovernmental trade in arms with the developing countries has involved more complex motivations and considerations. Several pressures have combined to increase the arms supply.

First, newly independent countries are frequently eager to acquire arms for prestige purposes. Lions on golden chains no longer satisfy. To many nations, these arms are status symbols—the tangible manifestation of their nationhood and newly acquired sovereignty.

Second, supplying arms opens the way to influence on the military and also on the political policies of the recipient countries. Experience has demonstrated that when an arms deal is concluded, the military hardware is only the first step. Almost invariably, a training mission is needed and the recipient country becomes dependent on the supplier for spare parts and other ordnance.

Since the Cuban missile crisis, there has been an increasing inclination on the part of both the United States and the USSR to compete in supplying military assistance in areas adjacent to the sphere of influence of the other power. Thus, we tend to concentrate our military assistance to developing areas in those countries, such as Iran and Pakistan, which are on the "forward-defense arc" that borders the Communist heartland. Almost three-fourths of the program proposed for 1967 is for countries adjacent to the borders of the USSR and Communist China.

The importance of influence on the military can be seen in Africa. Of the five nations of sub-Saharan Africa where military governments have come to power in recent months, only one, apparently, the Central African Republic, has not been the recipient of U.S. military assistance. The other four—Congo (Leopoldville), Dahomey, Nigeria, and Upper Volta—have all received at least minimal amounts of military aid.

Indonesia, where military elements appear to have taken de facto control of the government in the wake of the recent turmoil, received, in addition to Soviet military assistance, nearly $64 million in military-grant aid from the United States between 1959 and 1965. The Soviet Union, on the other hand tries to increase its influence by assistance to, for example, Cuba, close to our shores.

The third reason for increasing arms sales, and a relatively new one for the United States, is financial and budgetary. Our balance of payments deficit is, in large measure, the result of military expenditures overseas—money that leaves the United States to support our military forces abroad, in Europe, and, particularly now, in Viet Nam.

The Viet Nam war effort is costing the United States some $16 billion this year. By encouraging other countries to buy arms from us, we can offset to some extent the outflow resulting from these programs. Now, for instance, the Pentagon reportedly is "encouraging" additional purchases of U.S. arms by Germany by threatening transfer of U.S. troops from Europe to Viet Nam.

Secretary of Defense McNamara proudly describes the efforts of his department in the arms sales field. In May, 1965, he presented the meritorious civilian service medal to Henry J. Kuss, Jr., deputy assistant secretary of defense for international logistics negotiations, the Pentagon's top arms salesman.

The record of Mr. Kuss and his salesmen—"negotiators," the Pentagon calls them—is impressive. Military export sales since mid-1961 total more than $9 billion, from which U.S. industry will realize a profit of nearly $1 billion. For this achievement, the Pentagon credits "the intensive sales effort undertaken . . . in cooperation with U.S. industry."

Forbes magazine recently stated:

"Arms and military equipment are one of the U.S. major export items. Without them, few defense companies would be earning the kind of money they do."

Secretary McNamara cites the "obvious balance of payments benefits" of the arms sales program, noting that the U.S. defense expenditures and receipts entering the balance of payments in fiscal 1961 left a net adverse balance of nearly $2.8 billion. By 1965, the net deficit had been reduced to just over

$1.4 billion, in spite of rising defense expenditures in Southeast Asia. Arms sales by the Pentagon increased from about $300 million in 1961 to more than $1.3 billion in 1965; 1967 receipts are expected to exceed $1.5 billion.

Secretary of State Dean Rusk has stated that his department is in "very close touch with the Defense Department on the sale of arms."

The State Department's Office of Munitions Control coordinates arms sales by issuing or denying applications for the export or import of all articles on the U.S. munitions list. Export licenses for munitions list items are denied for areas under Communist control. But the State Department approves the shipment of arms to other states to meet what are considered to be legitimate defense needs and the requirements of internal security.

Secretary McNamara appears to believe that there is no reasonable alternative to intensified sales of U.S. weapons and, with the traditional rationalization of arms salesmen through history, states that if nations cannot buy them from us they will buy them elsewhere—from Britain, France, or the Soviet Union, at higher prices.

But what is the effect of this policy?

The outbreak of war between India and Pakistan is a prime example which was of great concern to this country.

Pakistan, which has recently been receiving military assistance from Communist China, is formally allied to us through the Southeast Asia Treaty Organization and is reported to have received from $1.5 to $2 billion in military assistance in the last decade. India, the largest democratic nation in the world, refused U.S. military aid until its borders were attacked but it had been receiving arms from England.

When it became clear that U.S.-supplied weapons were being used in the Indo-Pakistan war, many Americans must have wondered how our Government could have allowed itself to become caught in such a contradiction. Nor was it any comfort when John Kenneth Galbraith, former ambassador to India, said before the Foreign Relations Committee on April 25, 1966:

"The arms we supplied . . . caused the war between India and Pakistan . . . If we had not supplied arms, Pakistan would not have sought a military solution (to the Kashmir dispute)."

Also of growing concern in the past several months has been the spiraling arms build-up in the Middle East, where tensions among the Arab states and between the Arab states and Israel have long threatened to explode.

Between 1950 and 1965, we supplied relatively small amounts of grant military assistance to the area: to Iraq, $46.5 million; to Jordan, $33 million; to Saudi Arabia, $31 million. Now, however, Saudi Arabia is buying $400 million worth of British supersonic jet fighters and U.S. Hawk missiles. Jordan has received U.S. tanks, and on April 2 the State Department announced that the United States had agreed to sell Jordan "a limited number" of supersonic fighter-bombers, reportedly Lockheed F–104s.

It is not clear how Jordan, which has an annual per capita GNP of $233 and which has been dependent on U.S. military grants and economic aid, will pay for these planes, which cost some $2 million apiece. The availability of U.S. credit for arms purchases is undoubtedly an important factor.

(The State Department has been under special pressure in the case of Jordan because of our sale to Israel of weapons that had previously been promised by Germany under an arms deal cancelled last year.)

Secretary Rusk on Jan. 28, 1966, said:

"We have tried over the years . . . not to stimulate and promote the arms race in the Near East and not to encourage it by our direct participation."

But it is difficult to reconcile the State Department's policy of refraining from becoming a major supplier of arms with the aggressive arms sales program conducted by the Pentagon.

The United States appears to be abandoning its traditional policy of noninvolvement in the Middle East arms competitions in favor of trying to maintain an arms "balance" in the interest of political and military stability. But it is difficult to believe that the increasing supplies of sophisticated weapons in the area will contribute to the maintenance of peace or the reduction of tensions.

Tensions between Latin American states are not high at present, but our military assistance through grant aid or sales to some countries appears to be increasing, with Argentina agreeing several months ago to buy 50 jet attack planes from the Douglas Aircraft Co. At the same time, the Chileans are attempting to buy planes from us for defense against Argentina.

One may well question the desirability of strengthening military elements in countries that are, to a greater or lesser extent, trying to move away from a tradition of dominant influence of the military on political affairs, and endeavoring to develop democratic societies dedicated to freedom and social progress.

Among President Johnson's recent proposals to the Disarmament Conference meeting in Geneva is a suggestion that "countries, on a regional basis, explore ways to limit competition among themselves for costly weapons often sought for reasons of illusory prestige."

On April 19, 1966, the U.S. delegate to the Disarmament Conference elaborated further the principles by which nations might undertake, on a regional basis, to limit conventional arms. If such regional arrangements could be concluded, potential suppliers should pledge to respect them and not deliver arms to the area.

But the Defense Department's guidelines for its arms salesmen give little encouragement to those who would favor restraint. Its pamphlet, Information and Guidance on Military Assistance, says.

"The Department of Defense has embarked on an intensified military assistance sales program . . .

"Achievement of . . . objective calls for a very substantial increase over past sales levels: Success in this endeavor will be dependent in large measure upon effective sales promotion. The DOD has taken several steps to assist in the successful conclusion of military sales. . . . Foreign customer preference for U.S. material is being generated by developing an appreciation of its technical superiority, price, availability, and the offer of follow-on support through U.S. logistics systems.

"In many cases, credit arrangements may be made to facilitate military sales, on short or long-term basis as needed."

It seems to be a case of the left hand of the Government trying to control what the right hand is busily promoting.

Former Ambassador Galbraith has stated:

"The policy of arming the indigent . . . has long since acquired a momentum of its own. It owes its existence partly to habit, partly to vested bureaucratic interest, partly to the natural desire to avoid thought, and partly because to stop doing what is wrong is to confess past error."

He suggests limiting arms aid to countries that have an annual per capita income of more than $200.

At a minimum, one would hope for some rationalization of the United States policy on arms sales. There is evidence that the Soviet Union might welcome an opportunity to disengage from arms competition, at least in the Middle East. The United States should pursue any such possibility and, at the same time, use its influence to persuade other major suppliers to agree to some form of conventional arms moratorium.

Weapons sales abroad, 1962–65

(Defense Department estimates)

Company	*Sales*
General Dynamics:	
F–111A aircraft	$1,072,000,000
Tartar missiles	34,400,000
Total	1,106,400,000
Lockheed:	
P–3A aircraft	23,500,000
F–104 aircraft	527,100,000
C–130 aircraft	409,300,000
Total	959,900,000
McDonnell Aircraft: F–4 aircraft	703,000,000
Lockheed-General Dynamics (joint venture): Polaris missile system	427,000,000
Bath Iron Works-Defoe Shipbuilding (joint venture): Guided missile destroyer (DDG)	277,000,000
Martin Marietta: Pershing missile system	253,000,000
Raytheon: Hawk missile system	231,800,000
FMC: Armored personnel carrier, M–113	166,800,000
Chrysler: Tank, 105-millimeter gun, M60A1	154,200,000
Sperry Rand: Sergeant missile system	149,700,000
Ling-Temco-Vought: F–8E aircraft	66,000,000
General Motors: Howitzer, 155-millimeter, M–109	56,500,000
Boeing: C–135F aircraft	53,000,000
Pacific Car & Foundry: Gun, 175-millimeter, M–107	38,700,000
Grumman: S–2E aircraft	23,300,000

VOLUNTARY CLASSIFICATION OF MOVIES BY MOTION PICTURE ASSOCIATION OF AMERICA

Mrs. SMITH. Mr. President, on September 20, the Motion Picture Association of America adopted a new code of self-regulation. As I understand it, Hollywood's moviemakers will now guide themselves "through the substitution of broader guidelines in place of the old code's specific prohibitions."

I am sure we shall be interested in the application of these new guidelines on the neighborhood theater screen.

Furthermore, it is my understanding that the new code will call for a form of voluntary classification wherein movie producers, in cooperation with the movie code administration, will identify certain pictures as "suggested for mature audiences."

Mr. President, I think the Motion Picture Association of America, and its president, Mr. Jack Valenti, are to be congratulated. First, they seem to have recognized the existence of many movies now being exhibited in the United States which, through their excessive use of violence, brutality and bad taste, are simply not suitable for nonadults.

Second, they have moved to assume some responsibility for movies exhibited in the United States which are made by their member producers or submitted to

their code administration for a seal by independent producers or exhibitors.

Unfortunately, many movies—and a good number of those which parents, religious, and civic organizations protest against—are not made by members of the Motion Picture Association of America. Nor are they submitted to that organization or any other for approval.

But at least by embracing the concept of classification for its own films, the MPAA has shown an awareness of trends and a willingness to cope with this difficult problem within the limits of its authority.

I think they have taken a very important first step. Perhaps others will be necessary.

I ask unanimous consent to place in the RECORD at this point an editorial on this subject offering in the September 21, 1966 issue of the Washington Post.

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

FILMS AND FREEDOM

The Motion Picture Association of America announces today a new code of self-regulation for the film production industry. For a decade the principal movie-makers of the country have operated under a production code which gave rather extravagant lip service to Victorian proprieties and had a steadily diminishing relation to the realities of contemporary taste and artistic expression. Jack Valenti, the new president of the MPA, seems to have made it his first order of business to modernize the code and give it effective meaning. He deserves congratulations on the accomplishment.

One need only look at the movie section of any daily newspaper to see that there is a good deal of pandering to prurience and vulgarity in the current bill of fare; no doubt this is a shrewd response to what a considerable part of the public wants. But there is also a great deal of first-rate entertainment and a quantity of extremely interesting experimentation in motion picture themes, techniques and forms of expression. The movies can have freedom to flourish as an art only if they have a considerable measure of freedom at the same time to shock, disgust and even outrage a portion of the public.

The movie-makers have sought to preserve their freedom by embracing a measure of self-regulation—a traditional American approach. Their new code seeks "to assure that the freedom which encourages the artist remains responsible and sensitive to the standards of the larger society." It differs from the old code in two respects. First, it refrains from treating any subject as taboo, focusing its regulation instead on the treatment accorded to the subject. Second, it embraces a classification system for films, candidly announcing to the public that some products are designed for adult audiences only.

The standards for film treatment of subjects in the new code are, perhaps necessarily, vague and pious. They provide, for example, that "evil, sin, crime and wrong-doing shall not be justified." That can mean anything or nothing, of course. Propriety being a matter of taste, there are bound to be differences of opinion concerning it. We shall have to see how the new code is administered.

We think voluntary classification is a good idea—a much better idea than the mandatory and official classification instituted by law in Dallas and recently approved there by a decision of the Fifth Circuit Court of Appeals. There are pictures of interest to adults which some of those adults do not wish their children to see.

The MPA proposes to have such films identified as "suggested for mature audiences." It does not propose, as the Dallas ordinance does, to have the classification made by a board of censors or to penalize exhibitors who allow juveniles to attend. It puts the responsibility for protecting children where it belongs—on their parents. And it gives parents the notification necessary for them to exercise their supervisory role intelligently. That is about as much as can be done without incurring the evils of censorship.

The new code affords a hopeful augury that the motion picture industry is definitely coming of age. Unfettered, it has a prodigious potential both as art and as entertainment.

GRANTS AND LOANS BY FARMERS HOME ADMINISTRATION FOR WATER SUPPLY AND SEWAGE DISPOSAL

Mr. EASTLAND. Mr. President, last year I was a cosponsor of a bill authorizing the Farmers Home Administration to make loans and grants for water supply and sewage disposal to communities of less than 5,500 population.

I am extremely proud of the record made by the FHA in implementing this program. In addition to providing this authority, Congress increased the insured loan authority of the FHA from $200 million to $450 million annually.

The history of this program since its enactment is an outstanding accomplishment by a Federal agency. Four thousand and sixty-four loan and grant applications have been received from small towns and rural associations, and 1,583 projects have been approved for a total of $243,400,000 through June 30 of this year. The number of homes and small rural business enterprises serviced by these projects approximates 1,200,000.

This program has been of tremendous value to my own State. Through the last fiscal year, 476 applications were filed by small communities and rural areas in Mississippi, and 167 of the applications were processed and loans and grants have been provided which will service approximately 83,500 of our people with water supply and sewage disposal.

Mississippi has the second largest number of applications, and applications funded, of any State in the Union. It is second only to Texas, which has four times our population and land area.

Since July 1, 1966, for the 1967 fiscal year, additional loans in the amount of $1,297,340 have been authorized and grants of $200,660 have been approved to service 10,000 people in rural areas with water supply and/or sewage disposal.

Mr. President, I am proud to be one of the Senators who introduced and promoted this legislation which means so much to rural America. Water supply, sewage disposal, and good roads, added to rural electrification, will make living in rural areas comparable to that enjoyed by our urban citizens. This is the route we must take to keep our people in rural areas. In addition to better living conditions, we must encourage industrial plant locations to provide job opportunities to rural people to bring employment to the areas where the people reside. This is the answer to the growing ghettoes of the urban areas of our Nation.

Again, I place my endorsement wholeheartedly on the activities of the U.S. Department of Agriculture through the Farmers Home Administration in making the assistance provided by Congress available to rural people to raise the level of income and the standard of living in rural areas. I am convinced that this program, implemented as it is now, is a part of the solution to our social and economic problems of the present and future.

LET US WEEP FOR THE INNOCENT

Mr. BENNETT. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, an address entitled "Let Us Weep for the Innocent" delivered by the senior Senator from Colorado [Mr. ALLOTT] at the Denver Masonic Temples on September 16, 1966.

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

LET US WEEP FOR THE INNOCENT

Were you or any of your loved ones the victim of a serious crime during 1965? If not, consider yourself lucky because better than one person (1.4) out of every 100 of our citizens was a victim. And don't congratulate yourself prematurely or say, "It will never happen to me," because each year the chances are increasing that you will be a victim.

There were more than 2,780,000 serious crimes reported during 1965, a six percent increase over 1964. The percentage of victims increased five percent over 1964, part of a rising rate that has increased 35 percent since 1960. And I must point out that these are reported statistics. Only the good Lord knows how many crimes went undiscovered; for instance, rape victims who endured their shameful ordeals in silence and did not report them.

Does this mean that we have become a nation of the lawless? Have we through indifference, or premeditated decision, diverted from the basic concept of our government . . . one of laws . . . to one of license?

When we read of the appalling growth in our national crime rate and see daily evidence that military force is required to bring some semblance of order to our communities across the land, it is difficult to believe otherwise.

Why have we, a nation that boasts of being the model of democracy for emerging nations, reached this danger point of social crisis that our governmental and civic leaders and police executives view with the gravest concern?

Our American social system is based on a foundation composed of our Judaeo-Christian code of moral ethics and our code of legal justice under law, as promulgated in our Constitution. From this foundation, rise the four pillars that support our social structure: 1) the public will, 2) the interpretation of that will by our elected representatives, 3) the enforcement of legislative edicts through the exercise of authorized police power, and 4) the administration of justice by our courts. When any or all of these pillars are weakened, the collapse of our entire social structure is threatened.

In the past few years, Americans have for the most part realized the necessity for civil equality for all our citizens and legislation to this end has been enacted by the Congress. But now we are wondering, have some of

those whom we sought to benefit gone too far in taking advantage of these long overdue rights? It is a logical conclusion to reach when our communities are wracked by civil disorders and civil riots that have gone beyond the control of the police and require military intervention to bring a semblance of order.

Hardly a day passes that we do not read in the daily press where a march, a sit-down, lie-down, protest demonstration or something of this nature has been sparked into a full-scale riot that requires National Guard troops to subdue. Snipers shoot our policemen, howling mobs use Molotov cocktails and other lethal weapons in wanton and destructive defiance of law and order. And when an uneasy peace finally is achieved, what do we find? In Watts, according to the McCone Commission, ". . . when the spasm passed, 34 persons were dead and the hurt and injured numbered 1,032. Property damage was about $40 million."

Many of the dead and wounded were the innocent caught up in a situation not of their doing, the victims of a holocaust of death and destruction that could have been prevented by the use of reason and respect for the law. Must we have more "Watts" before reason takes precedence? Must we agree with self-styled social experts that because people are deprived and resentful of authority, killing, arson, looting and defiance of the law are to be understood and condoned? I, for one, do not agree, and I believe my credentials permit me to say this. I have sponsored or cosponsored some 57 bills or amendments concerned with advancing civil rights legislation. I have, in every instance, voted for cloture in an attempt to bring proposed civil rights legislation to resolution on the Senate floor. And, most importantly from my personal standpoint, I believe in the cause of civil rights from a moral basis. In view of this, I feel I speak as a friend. I have an earned right to speak as a friend.

And as a friend, it is my sincere advice to those who would justify the ends by means of civil disorder and social disruption, that they pause at this time and with reason and forbearance consolidate the present gains to prepare the paths for peaceful progress. Because if this is not done, even greater numbers of the innocent will suffer.

One of the most heartbreaking aspects of the social crisis of our time is the one of juvenile delinquency. The magnitude of the problem is demonstrated by the fact that the arrests of persons under 18 years of age have increased 47 percent in 1965 over 1960. During the same period our young age group population increased only 17 percent. In addition to the commission of serious crimes, we see an increasing participation by young people, a relatively small minority it is true, in open rebellion against law and order. Adroitly manipulated by known subversives and led by misguided, idealistic "liberals," we see them making a shambles of some of our college campuses and in the forefront of every conceivable demonstration for rights they have yet to earn on their own merit. In defiance of the government of their fathers, they burn their draft cards, and join with Communist sympathizers in denunciatory tirades against our nation's endeavor in Viet Nam to contain Communism.

Their actions are excused by permissive parents, too lenient courts and social pundits as "youthful rebellion against laws they did not make," or because their backgrounds have been unfavorable, or because they just did not adopt to conformity. Too often the only moral code they recognize is the one of "not getting caught."

I believe this problem stems basically from lack of parental responsibility and parental discipline. Parents do not understand the actions of their wayward youngsters because, they say, "We gave them everything." I think if they were honest they would admit they gave them everything of material benefit, but little or nothing of spiritual benefit. Too often the home they provided was only a house. Home, the poet tells us, is where the heart is. The heart of a home is the family where understanding and love are provided, coupled with firm supervision, where the basics of character are formed, not on a hit-or-miss basis, but on a continuing, constant basis.

When parental responsibility is abdicated and the young person ends up in the courts, the corrective action there is too often in the nature of a legal "slap on the wrist." Is it any wonder, that this youngster decides, based on the examples of his elders, that he can do as he pleases without fear of consequences, and goes on to more and more serious flaunting of the law? We might feel impelled to weep for these who have outgrown their innocence, but it is too late. We must save our tears for their victims.

And their victims are legion. With no sense of responsibility and devoid of conscience, they are free to lure others into the abyss with them. A drug habit started just for "kicks" becomes an insatiable "monkey on their backs" and to pay for it, no crime or degradation is too great. Unimpressed by a "slap on the wrist," they figure crime is the easy way to live and hard work the way of the "square."

I certainly hope that you do not infer from my remarks that a great majority of our young people are criminals—far from it, and I need only refer you to those dedicated young men and women so valiantly serving the cause of freedom in Viet Nam. As a matter of fact, less than 5 out of every 100 in the total young age group become involved in criminal acts. But even these are too many in view of the havoc they cause, the falsely-glamorous example they set for the impressionable, and the distorted image of America they reflect to our world neighbors.

(Another breakdown in law enforcement that has reached such serious proportions as to generate a great deal of concern from the public and the highest authorities in government, industry and the police, is that of traffic accidents.

(Last year almost 49,000 people were killed in traffic accidents and more than four million injured. Forty-one thousand six hundred (41,600) of the deaths were attributed to driver actions. Of that number, at least 36,500 resulted from disobedience to established traffic rules and regulations. Violation of traffic laws caused more than 3 million of the injuries.

(The seriousness of this situation can be seen when compared to the toll from serious crimes. There was a murder committed every 56 minutes in 1964, there was a fatality resulting from a motor vehicle accident every eleven minutes—an injury every eleven seconds. Every 57 seconds one person was injured as a result of a robbery, aggravated assault or other assault in 1964.)

The reaction of many persons in reviewing the mounting crime in our nation is to ask, "Why don't the police do something about it?"

To answer this question, we must realize that our total police capabilities consist of some 300,000 police to maintain law and order for our some 195 million citizens. This provides a median of about 1.9 police per one thousand population, or about 19 police on duty for each ten thousand population segment. But when we analyze this a little deeper, we realize that these 300,000 police officers cannot physically serve 24 hours a day; being human, they became sick occasionally, they are entitled to periodic vacations, like the rest of us, and they are required to perform countless tasks, such as being witnesses in court, which takes them off the front line of duty. Finally, this total force must be apportioned into three shifts during a 24-hour day. When all these factors are taken into consideration, we arrive at a total force "on the line" at any one time of barely a fourth of the total 300,000 police capability. Obviously, this is not an adequate force in being to perform the vital police mission, particularly in the high density metropolitan areas where crime and vice show a steady increase and traffic is near saturation.

Another factor that has added to the complexity of the police problem is the general trend of court decisions in the past years. More and more, one is impelled to ask: "Are the courts more concerned with the rights of an individual defendant than with the rights of society as a whole?"

A current case in point is the June 13 decision rendered by the Supreme Court in *Miranda* v. *Arizona*. In this case, by a five-to-four decision, the court virtually abolished a traditional and major police technique, that of police station interrogation of suspects.

In his dissenting opinion, *Justice White* noted that many criminals who might previously have been convicted, may now either not be tried at all, or acquitted upon trial. He concluded that "I have no desire whatsoever to share responsibility for any such impact on the present criminal process." I congratulate him on his dissenting opinion.

As Quinn Tamm, Executive Director of the International Association of Police Chiefs, noted in his editorial in the July issue of the Association's monthly Police Chief Magazine, referring to the Miranda decision, "For the police, such detachment is not possible. They must face the guns and knives of the unconvicted killers, and the anguished mothers of the unconvicted rapists."

Similar decisions in other cases of fairly recent vintage have made it an understandable police concern as to whether it is possible to make an arrest that will stand up in court.

It is a considered opinion of almost all senior police executives that their role in performing their trust, is daily becoming more difficult and nearly impossible. They are caught in the middle between opposing factions in civil riots. Their methods of operation are inhibited by court decisions and their resources are inadequate in proportion to our population increase.

That they have persevered with outstanding dedication is evidenced by last year's record crime clearances by arrests. Ninety-one percent of the murders, 85 percent of the negligent manslaughter cases, 64 percent of the forcible rapes and 73 percent of the aggravated assault cases were resolved in this manner. But the enormity of the problem is illustrated by the grim facts that, during this same time period, there was a murder every hour, a forcible rape every 23 minutes, an aggravated assault every 2½ minutes and a robbery every 4½ minutes.

While the police do not expect us to weep for them, we must weep for the innocent who were murdered or assaulted, slaughtered or maimed on our highways by reckless, lawbreaking drivers, and those whose homes, businesses and properties were pillaged and looted. And while the police ask for no tears, we owe them to the families of the peace officers who paid the supreme sacrifice in the performance of their duty—two hundred and seventy eight of them since 1960. Their wives and their children, they, too are the innocent.

Let me make the following specific recommendations:

(1) A strengthening of our laws, rather than a weakening;

(2) More and better trained police to enforce those laws until every citizen can walk the street in safety;

(3) An acceptance by you, as responsible citizens, that the *price must be paid* in order that we have such a force for law; and

(4) The time has come for our Supreme Court, in its interpretation of our laws, to accept the fact that not only does the criminal have rights but that those past victims of criminal action and those who might be the victims of tomorrow, are entitled to justice, freedom from persecution and the right to live without fear.

It is with pardonable pride that I can say that I have made my voice heard, and my actions felt on the Senate floor to move our nation forward in respect for the law, and support of law enforcement. And, it is my steadfast resolve to continue towards this goal with all the capabilities at my command.

But our tears will not wash away the problem. We can weep, but more importantly, we must act. It is not the sole responsibility of the police to alleviate the crime and social disorder in our nation. This is a shared responsibility of every citizen. As we share in the freedoms and rights instituted by our forefathers, so must we share in the responsibilities for maintaining those rights and freedoms. Each of us must respect the law, and must support those whom we have entrusted to enforce the law. Without such respect and such support, we invite anarchy.

Yes, as humans with hearts, let us weep for the innocent victims of the misguided, the malcontent and the malicious; but as citizens of rectitude and responsibility, let us act to put an end to the need for weeping.

With each of us sharing the responsibility for law and order, we can each share in the realization of the American dream—a nation of equal justice—under law.

THE PEACE FORCE PULLS OUT

Mr. INOUYE. Mr. President, on this occasion of the departure from the Dominican Republic of the last units of the inter-American peace force, I think it is appropriate to cite some of the positive aspects of the drama in which the peace force played a major role.

President Johnson's decision in April of last year to send troops to the Dominican Republic was not an easy one. He knew that it would be controversial. But most of our people agreed with him that it was far wiser to land marines to protect thousands of innocent American citizens and citizens of other lands than to risk their lives in order to avoid political controversy. And they agreed that it was far wiser, indeed, to land troops than to gamble with the security of the hemisphere. Few of us, at that time, had forgotten the lessons of Cuba. First a Communist foothold was established, then a Communist stronghold. Next came a missile crisis. At the same time, Cuba became a headquarters, a supply base and a training ground for Communist "wars of national liberation" in this part of the world.

The President's quick and decisive action saved countless lives, checked the risk of another Cuba and gave the OAS time to act.

At the same time, the United States moved swiftly to take the issues before the Organization of American States. Here, too, there was overwhelming recognition that the American Republics could not stand idly by while a sister republic succumbed to chaos and Communist exploitation. Little more than 24 hours after the first contingent of marines had landed to protect the evacuation, the OAS voted to seek a cease-fire and to establish an international safety zone. Later OAS actions led to measures for maintaining the peace and seeking agreement among Dominican leaders for a political solution.

On May 6, 1965, the Organization of American States voted 14 to 5 to create the Inter-American Peace Force. In addition to the United States, the force consisted of contributions from Brazil, Paraguay, Nicaragua, Costa Rica and Honduras.

For more than a year the OAS Ad Hoc Committee worked tirelessly to help bring the country to free and fair elections and to supervise the activities of the Peace Force. Again playing a key role, as a member of the OAS diplomatic team, was our own Ambassador Bunker. His patience and steadfastness and his diplomatic expertise were major elements in bringing about the establishment of a provisional government and in setting the stage for elections.

Meanwhile, through the OAS and through our Agency for International Development, the United States supplied a great deal of the vitally needed financial, medical and technical help to restore the Dominican economy and to relieve the suffering of the Dominican people.

Then on June 1 last, the Dominican people themselves demonstrated to the world their faith in democratic, peaceful procedures. In a model election they went to the polls in record numbers. Many traveled long distances to vote, others waited long hours in long lines to cast their ballots. Their determination and their dignity deeply impressed official observers and the large international press contingent on the scene.

Today, the Dominican Republic has a democratic and progressive government. President Joaquin Balaguer since his election has been able to concentrate on launching economic and social reform programs partly because of the stabilizing presence of the Inter-American Peace Force. Now, as that force departs, we can say with assurance that the prospects for the strengthening of Dominican democracy are good, although the nation still faces many difficult problems.

Let me say a word or two about the exemplary conduct of the officers and men of the six-nation IAPF. They were often subjected to acts of terrorism, they were shot at and abused by hostile mobs, they could expect little or no thanks for their good works and their crucial role as peacekeepers. There were, of course, many instances of friendly encounters with the people—but no people appreciates the presence of foreign troops among them, even in the happiest of circumstances. For their model behavior then, and for their good example of cooperation among themselves, I salute these soldiers of freedom.

I conclude by observing that the Dominican people deserve the highest praise for responding so positively to the efforts of the provisional government and the diplomats of the OAS to establish conditions conducive to peaceful elections. Despite the obstacles and the uncertainties, the Dominican people rose to the challenge on election day and set a high standard of performance for freemen everywhere. They have again, under Dr. Balaguer's leadership, taken upon themselves the responsibilities of democracy. While ahead of them there are many difficult and challenging trials, they can be assured that we stand ready to help them to make progress and to preserve their hard-won freedom.

MOTION PICTURE INDUSTRY'S NEW CODE OF SELF-REGULATION

Mr. DIRKSEN. Mr. President, on September 20 of this year, the Motion Picture Association of America adopted the industry's new "Code of Self-Regulation." This action was unanimously agreed to by the board of directors.

The updating of the 36-year old set of standards for movie production has been carried out "to keep the code in closer harmony with the mores, the culture, the moral sense and expectations of our society," Jack J. Valenti, president of the motion picture trade association, stated.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD two news releases by the Motion Picture Association of America, a copy of the "Code of Self-Regulation," and an editorial published in the Washington Post of September 21, 1966, with reference to the new code.

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

NEW YORK, September 20.—The Motion Picture Association of America today adopted the industry's new Code of Self-Regulation. This action was unanimously agreed to by the Board of Directors at a meeting at the Association Tuesday, September 20.

Up-dating of the 36-year old set of standards for movie production has been carried out "to keep the Code in closer harmony with the mores, the culture, the moral sense and the expectations of our society," Jack J. Valenti, president of the motion picture trade association, stated.

A highlight of the revision, which has been discussed actively for several years, is its greater emphasis on the importance of how the subjects of movies are treated on the screen, coupled with an "expansion of creative freedom" through the substitution of broader guidelines in place of the old Code's specific prohibitions.

The most significant innovation in the new regulations which the industry imposes on itself is to extend the commitment by the producers and film distributors to make more information about films available to parents, "the arbiters of family conduct, so they can choose which motion pictures their children can see."

The new Code establishes procedures whereby producers, in cooperation with the Code Administrator, will identify certain pictures as "Suggested for mature audiences" in all advertising, displays at theatres, and by other means.

A new "Declaration of Principles" of the Code states, "Thus parents will be alerted and informed so that they may decide for themselves whether a particular picture, because of theme, content or treatment, will be one which their children should or should not see, or may not understand or enjoy.

"Parents have the primary responsibility to guide their children in the kind of lives they lead, the character they build, the

books they read, and the movies and other entertainment to which they are exposed," the Code Declaration of Principles states.

It recognizes that "the creators of motion pictures have a responsibility to make information available to parents."

Censorship and classification of films by law are "alien to the American tradition. Much of this nation's strength and purpose is drawn from the premise that the humblest of citizens has the freedom of his *own choice*," the Code declares. "We believe self-restraint, self-regulation, to be in the tradition of the American purpose. This Code, and its administration, will make clear that freedom of expression does not mean toleration of license."

The new standards for production, to be enforced by the Administrator, are:

"The basic dignity and value of human life shall be respected and upheld. Restraint shall be exercised in portraying the taking of life.

"Evil, sin, crime and wrong-doing shall not be justified.

"Special restraint shall be exercised in portraying criminal or anti-social activities in which minors participate or are involved.

"Detailed and protracted acts of brutality, cruelty, physical violence, torture and abuse, shall not be presented.

"Indecent or undue exposure of the human body shall not be presented.

"Illicit sex relationships shall not be justified. Intimate sex scenes violating common standards of decency shall not be portrayed. Restraint and care shall be exercised in presentations dealing with sex aberrations.

"Obscene speech, gestures or movements shall not be presented. Undue profanity shall not be permitted.

"Religion shall not be demeaned.

"Words or symbols contemptuous of racial, religions or national groups, shall not be used so as to incite hatred.

"Excessive cruelty to animals shall not be portrayed and animals shall not be treated inhumanely.

"The Code of Self-Regulation has been adopted by and will be supported by all members of the Motion Picture Association of America, as well as many independent producers," Mr. Valenti said. He pointed out that "not all motion pictures are submitted for review by the Production Code Administration of the Association. The presence of the Code Seal is the only way the public can know which pictures have come under the Code. However, non-members of the Association are invited to submit films for Code scrutiny and approval."

The Code also includes standards for movie advertising, as has been true in the past. All advertising and publicity for Code-approved pictures must abide by the standards of the Advertising Code.

The principles and standards of the Production Code are supplemented by the following standards for advertising:

"Illustrations and text shall not misrepresent the character of a motion picture. Illustrations shall not depict any indecent or undue exposure of the human body. Advertising demeaning religion, race, or national origin shall not be used."

Standards for titles of motion pictures also are included in the revised Code, as in the past.

The new provision concerning films for mature audiences states that "The Administrator, in approving a picture under the Code, may recommend that advertising for the picture carry the informational line 'Suggested for mature audiences.' If the Administrator so determines, the distributing company shall carry the line in its advertising. The Administrator shall notify the Director of the Code for Advertising of all such pictures."

The new Code establishes a "Motion Picture Code Board" which will hear appeals and also acts as an advisory board on Code matters. The latter function is new, reflecting Mr. Valenti's program for broader cooperation and unity between producers and distributors on the one hand and exhibitors on the other.

The Code Board will consist of the president of the MPAA as Chairman and nine other directors of the Association; six exhibitors nominated by the National Association of Theatre Owners; and four producers nominated by the Screen Producers Guild.

Member companies of the Association which voted to adopt the Code today are: Allied Artists Pictures Corporation; Columbia Pictures Corp.; Metro-Goldwyn-Mayer Inc.; Paramount Pictures Corporation; Twentieth Century-Fox Film Corp.; United Artists Corporation; Universal Pictures, a division of Universal City Studies, Inc.; and Warner Bros. Picture Distributing Corp.

Copies of the text of the Code may be secured by writing the MPAA, 522 Fifth Avenue, New York, N.Y. 10036.

A Great Historic Landmark

Jack J. Valenti, president of the Motion Picture Association of America, this afternoon (September 20) received the following message from Richard F. Walsh, president of the International Alliance of Theatrical and State Employees:

"I want to congratulate you on the adoption of the revised Code. This is a step in the right direction and it has been needed.

"It makes clear that the main responsibility rests on parents to choose the films they want their children to see or not to see. This is where the responsibility belongs.

"By combining a concern for freedom of expression with a regard for the proper sensibilities of the public, the Code, I believe, can be a great historic landmark in the relationships between the industry and the public it serves.

"We want to assist you in any way we can to make this system of self-regulation a continuing success."

Code of Self-Regulation, Motion Picture Association of America

The Code of Self-Regulation of the Motion Picture Association of America shall apply to production, to advertising, and to titles of motion pictures.

The Code shall be administered by an Office of Code Administration, headed by an Administrator.

There shall also be a Director of the Code for Advertising, and a Director of the Code for Titles.

Nonmembers are invited to submit pictures to the Code Administrator on the same basis as members of the Association.

Declaration of Principles of the Code of Self-Regulation of the Motion Picture Association

This revised Code is designed to keep in closer harmony with the mores, the culture, the moral sense and the expectations of our society.

The revised Code can more completely fulfill its objectives, which are:

1. To encourage artistic expression by expanding creative freedom and

2. To assure that the freedom which encourages the artist remains responsible and sensitive to the standards of the larger society.

Censorship is an odious enterprise. We oppose censorship and classification-by-law (or whatever name or guise these restrictions go under) because they are alien to the American tradition of freedom.

Much of this nation's strength and purpose is drawn from the premise that the humblest of citizens has the freedom of his own choice. Censorship destroys this freedom of choice.

It is within this framework that the Motion Picture Association continues to recognize its obligation to the society of which it is an integral part.

In our society the parents are the arbiters of family conduct.

Parents have the primary responsibility to guide their children in the kind of lives they lead, the character they build, the books they read, and the movies and other entertainment to which they are exposed.

The creators of motion pictures undertake a responsibility to make available pertinent information about their pictures which will enable parents to fulfill their function.

An important addition is now being made to the information already provided to the public in order to enable parents better to choose which motion pictures their children should see.

As part of the revised Code, there is a provision that producers in cooperation with the Code Administration, will identify certain pictures as "Suggested for mature audiences."

Such information will be conveyed by advertising, by displays at the theatre and by other means.

Thus parents will be alerted and informed so that they may decide for themselves whether a particular picture because of theme, content or treatment, will be one which their children should or should not see, or may not understand or enjoy.

We believe self-restraint, self-regulation, to be in the tradition of the American purpose. It is the American society meeting its responsibility to the general welfare. The results of self-discipline are always imperfect because that is the nature of all things mortal. But this Code, and its administration, will make clear that freedom of expression does not mean toleration of license.

The test of self-restraint . . . the rule of reason . . . lies in the treatment of a subject for the screen. The seal of the Motion Picture Association on a film means that the picture has met the test of self-regulation.

All members of the Motion Picture Association, as well as many independent producers, cooperate in this self-regulation. Not all motion pictures, however, are submitted to the Production Code Administration of the MPA, and the presence of the Seal is the only way the public can know which pictures have come under the Code.

We believe in and pledge our support to these deep and fundamental values in a democratic society:

Freedom of choice . . . .

The right of creative man to achieve artistic excellence . . .

The role of the parent as the arbiter of the family's conduct.

The men and women who make motion pictures under this Code value their social responsibility as they value their creative skills. The Code, and all that is written and implied in it, aims to strengthen both those values.

Standards for Production

In furtherance of the objectives of the Code to accord with the mores, the culture, and the moral sense of our society, the principles stated above and the following standards shall govern the Administrator in his consideration of motion pictures submitted for Code approval:

The basic dignity and value of human life shall be respected and upheld. Restraint shall be exercised in portraying the taking of life.

Evil, sin, crime and wrong-doing shall not be justified.

Special restraint shall be exercised in portraying criminal or anti-social activities in which minors participate or are involved.

Detailed and protracted acts of brutality, cruelty, physical violence, torture and abuse, shall not be presented.

Indecent or undue exposure of the human body shall not be presented.

Illicit sex relationships shall not be justified. Intimate sex scenes violating common standards of decency shall not be portrayed. Restraint and care shall be exercised in presentations dealing with sex aberrations.

Obscene speech, gestures or movements shall not be presented. Undue profanity shall not be permitted.

Religion shall not be demeaned.

Words or symbols contemptuous of racial, religious or national groups, shall not be used so as to incite bigotry or hatred.

Excessive cruelty to animals shall not be portrayed and animals shall not be treated inhumanely.

STANDARDS FOR ADVERTISING

The principles of the Code cover advertising and publicity as well as production. There are times when their specific application to advertising may be different. A motion picture is viewed as a whole and may be judged that way. It is the nature of advertising, however, that it must select and emphasize only isolated portions and aspects of a film. It thus follows that what may be appropriate in a motion picture may not be equally appropriate in advertising. This must be taken into account in applying the Code standards to advertising. Furthermore, in application to advertising, the principles and standards of the Code are supplemented by the following standards for advertising:

Illustrations and text shall not misrepresent the character of a motion picture.

Illustrations shall not depict any indecent or undue exposure of the human body.

Advertising demeaning religion, race, or national origin shall not be used.

Cumulative overemphasis on sex, crime, violence and brutality shall not be permitted.

Salacious postures and embraces shall not be shown.

Censorship disputes shall not be exploited or capitalized upon.

STANDARDS FOR TITLES

A salacious, obscene, or profane title shall not be used on motion pictures.

PRODUCTION CODE REGULATIONS

I. Operations

A. Prior to commencement of production of a motion picture, the producer shall submit a shooting, or other, script to the Office of Code Administration. The Administrator of the Code shall inform the producer in confidence whether a motion picture based upon the script appears to conform to the Code. The final judgment of the Administrator shall be made only upon reviewing of the completed picture.

B. The completed picture shall be submitted to the Code Office and if it is approved by the Administrator, the producer or distributor shall upon public release of the picture place upon an introductory frame of every print distributed for exhibition in the United States the official Seal of the Association with the word "Approved" above the Seal, and below, the words "Certificate Number," followed by the number of the Certificate of Approval. All prints bearing the Code Seal shall be identical.

C. The Administrator, in issuing a Certificate of Approval, shall condition the issuance of the Certificate upon agreement by the producer or distributor that all advertising and publicity to be used for the picture shall be submitted to and approved by the Director of the Code for Advertising.

D. The Administrator, in approving a picture under the Code, may recommend that advertising for the picture carry the informational line Suggested for Mature Audiences. If the Administrator so determines, the distributing company shall carry the line Suggested for Mature Audiences in its advertising. The Administrator shall notify the Director of the Code for Advertising of all such pictures.

E. The title of an approved motion picture shall not be changed without prior approval of the Director of the Code for Titles.

F. Nonmembers of the Association may avail themselves of the services of the Office of Code Administration in the same manner and under the same conditions as members of the Association.

G. The producer or distributor, upon receiving a Certificate of Approval for a picture, shall pay to the Office of Code Administration a fee in accordance with the uniform schedule of fees approved by the Board of Directors of the Association.

II. Motion Picture Code Board

A. A Motion Picture Code Board is established with these two principal functions:

To hear appeals from decisions of the Code Administrator.

To act as an advisory body on Code matters.

1. The Code Board shall be composed of the following:

(a) The President of the Motion Picture Association of America, and nine other directors of the Association appointed by the President;

(b) Six exhibitors appointed by the President upon nomination by the National Association of Theatre Owners; and

(c) Four producers appointed by the President upon nomination by the Screen Producers Guild.

2. The President of the Motion Picture Association of America shall be Chairman of the Code Board, and the Association shall provide the secretariat.

3. The President may designate not more than two pro tempore members for each category as substitutes for members unable to attend a particular Board meeting or a hearing.

4. The presence of ten members shall constitute a quorum of the Board for meetings and hearings.

5. The members of the Board required to travel to attend a meeting shall be reimbursed for transportation and subsistence expenses, which shall be paid to them from funds of the Office of Code Administration.

B. Advisory: The procedures governing meetings of the Board in its advisory function shall be as follows:

1. The Board shall meet upon call of the Chairman at a time and place he may designate.

2. Members may submit suggestions for an agenda, which shall be prepared and circulated by the Chairman in advance of meetings. Upon majority vote, additional items may be submitted and brought up for discussion at meetings.

3. The Board through the Chairman may request the presence of the Code Administrator at meetings; may request oral and written reports from its distributor, exhibitor and producer members on the status of the Code; may call for advice and reports upon others in a position to contribute to a better understanding and more efficacious operation of the system of self-regulation; and may perform such other functions of an advisory nature as may redound to the benefit of the Code.

C. Appeals:

1. Any producer or distributor whose picture has not been approved by the Code Administrator may appeal the decision to the Motion Picture Code Board by filing a notice of appeal to the Chairman of the Board.

2. The procedures governing appeals before the Code Board shall be as follows:

(a) The Board, upon being called into meeting by the Chairman, shall view an identical print of the picture denied a Certificate of Approval by the Code Administrator.

(b) The producer or the distributor and the Code Administrator, or their representatives, may present oral or written statements to the Board.

(c) The Board shall decide the appeal by majority vote of the members present and its decision shall be final.

(d) No member of the Board shall participate in an appeal involving a picture in which the member has a financial interest.

3. The jurisdiction of the Board is limited to hearing the appeal and it is without power to change or amend the Code.

4. The Code Board, if it authorizes the issuance of a Certificate of Approval, may do so upon such terms and conditions as it may prescribe.

ADVERTISING CODE REGULATIONS

1. These regulations are applicable to all members of the Motion Picture Association of America, and to all producers and distributors of motion pictures with respect to each picture for which the Association has granted its Certificate of Approval.

2. The term "advertising" as used herein shall be deemed to mean all forms of motion picture advertising and exploitation, and ideas therefor, including the following: pressbooks; still photographs; newspaper, magazine and trade paper advertising; publicity copy and art intended for use in pressbooks or otherwise intended for general distribution in printed form or for theatre use; trailers; posters, lobby displays, and other outdoor displays; advertising accessories, including heralds and throwaways; novelties; copy for exploitation tieups; and all radio and television copy and spots.

3. All advertising shall be submitted to the Director of the Code for Advertising for approval before use, and shall not be used in any way until so submitted and approved. All advertising shall be submitted in duplicate with the exception of pressbooks, which shall be submitted in triplicate.

4. The Director of the Code for Advertising shall proceed as promptly as feasible to approve or disapprove the advertising submitted.

The Director of the Code for Advertising shall stamp "Approved" on one copy of all advertising approved by him and return the stamped copy to the Company which submitted it. If the Director of the Code for Advertising disapproves of any advertising, the Director shall stamp the word "Disapproved" on one copy and return it to the Company which submitted it, together with the reasons for such disapproval; or, if the Director so desires, he may return the copy with suggestions for such changes or corrections as will cause it to be approved.

5. All pressbooks approved by the Director of the Code for Advertising shall bear in a prominent place the official seal of the Motion Picture Association of America. The word "Approved" shall be printed under the seal. Pressbooks shall also carry the following notice: "All advertising in this pressbook, as well as all other advertising and publicity materials referred to therein, has been approved under the Standards for Advertising of the Code of Self-Regulation of the Motion Picture Association of America. All inquiries on this procedure may be addressed to: Director of Code for Advertising, Motion Picture Association of America, 522 Fifth Avenue, New York, New York 10036."

6. When the Code Administrator determines that any picture shall carry the informational line "Suggested for mature audiences," the Director of the Code for Advertising shall require this line to appear in

such advertising for that picture as the Director may specify. When the advertisement is limited in size, the Director may authorize the initials SMA to stand for "Suggested for mature audiences."

7. Appeals. Any Company whose advertising has been disapproved may appeal from the decision of the Director of the Code for Advertising, as follows:

It shall serve notice of such appeal on the Director of the Code for Advertising and on the President of the Association. The President, or in his absence a Vice President designated by him, shall thereupon promptly and within a week hold a hearing to pass upon the appeal. Oral and written evidence may be introduced by the Company and by the Director of the Code for Advertising, or their representatives. The appeal shall be decided as expeditiously as possible and the decision shall be final.

8. Any Company which uses advertising without prior approval may be brought up on charges before the Board of Directors by the President of the Association. Within a reasonable time, the Board may hold a hearing, at which time the Company and the Director of the Code for Advertising, or their representatives, may present oral or written statements. The Board, by a majority vote of those present, shall decide the matter as expeditiously as possible.

If the Board of Directors finds that the Company has used advertising without prior approval, the Board may direct the Administrator of the Code to void and revoke the Certificate of Approval granted for the picture and require the removal of the Association's seal from all prints of the picture.

9. Each Company shall be responsible for compliance by its employees and agents with these regulations.

[From the Washington (D.C.) Post, Sept. 21, 1966]

FILMS AND FREEDOM

The Motion Picture Association of America announces today a new code of self-regulation for the film production industry. For a decade the principle movie-makers of the country have operated under a production code which gave rather extravagant lip service to Victorian proprieties and had a steadily diminishing relation to the realities of contemporary taste and artistic expression. Jack Valenti, the new president of the MPA, seems to have made it his first order of business to modernize the code and give it effective meaning. He deserves congratulations on the accomplishment.

One need only look at the movie section of any daily newspaper to see that there is a good deal of pandering to prurience and vulgarity in the current bill of fare; no doubt this is a shrewd response to what a considerable part of the public wants. But there is also a great deal of first-rate entertainment and a quantity of extremely interesting experimentation in motion picture themes, techniques and forms of expression. The movies can have freedom to flourish as an art only if they have a considerable measure of freedom at the same time to shock, disgust and even outrage a portion of the public.

The movie-makers have sought to preserve their freedom by embracing a measure of self-regulation—a traditional American approach. Their new code seeks "to assure that the freedom which encourages the artist remains responsible and sensitive to the standards of the larger society." It differs from the old code in two respects. First, it refrains from treating any subject as taboo, focusing its regulation instead on the treatment accorded to the subject. Second, it embraces a classification system for films, candidly announcing to the public that some products are designed for adult audiences only.

The standards for film treatment of subjects in the new code are, perhaps necessarily, vague and pious. They provide, for example, that "evil, sin, crime and wrong-doing shall not be justified." That can mean anything or nothing, of course. Propriety being a matter of taste, there are bound to be difference of opinion concerning it. We shall have to see how the new code is administered.

We think voluntary classification is a good idea—a much better idea than the mandatory and official classification instituted by law in Dallas and recently approved there by a decision of the Fifth Circuit Court of Appeals. There are pictures of interest to adults which some of those adults do not wish their children to see.

The MPA proposes to have such films identified as "suggested for mature audiences." It does not propose, as the Dallas ordinance does, to have the classification made by a board of censors or to penalize exhibitors who allow juveniles to attend. It puts the responsibility for protecting children where it belongs—on their parents. And it gives parents the notification necessary for them to exercise their supervisory role intelligently. That is about as much as can be done without incurring the evils of censorship.

The new code affords a hopeful augury that the motion picture industry is definitely coming of age. Unfettered, it has a prodigious potential both as art and as entertainment.

BUSINESS AND THE ARTS

Mr. JAVITS. Mr. President, I ask unanimous consent that an article by Howard Taubman which appeared in this morning's New York Times entitled "Business and the Arts," be printed at this point in the RECORD.

This article concerns the contributions of the business community to the growth of the arts in America, and merits the attention of the Members of this body.

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

BUSINESS AND THE ARTS—COMMERCE SHOWS WELCOME CHANGE IN ATTITUDE ABOUT CULTURAL PATRONAGE

(By Howard Taubman)

The straws in the wind grow more numerous and blow more eagerly. They seem to signal that the new day for the arts in America, which has had a promising dawn in recent months, will have a lively morning. Prominently visible as the new day moves forward to its high noon are likely to be the businessmen of America, active in their own names as individuals and speaking and leading in their roles as guardians of the nation's principal corporations. The speech this week by David Rockefeller, chairman of the Chase Manhattan Bank, at the conference of the National Industrial Conference Board is an earnest example of what lies ahead. In his request for the formation of a National Council on Business and the Arts, he not only recommends wisely, but also reflects a welcome enlightenment.

Mr. Rockefeller is not alone in sensing the new directions that business must take in its extracurricular programs of public service. Other leading businessmen have had cultural religion in recent years and have led their companies into fields that a generation ago would have been considered anathema by so-called practical men.

George M. Irwin, an unusual businessman by any standards, recently emphasized the change in a talk to the National Council of the Arts in Education at a conference at Dartmouth.

Mr. Irwin is chairman of the board of the Quincy Compressor Division of Colt Industries, Inc. He is also chairman of the Illinois Arts Council and in his time has conducted—yes, from a podium—the orchestra in his home town of Quincy, Ill. In his own person he unites sound business experience and a discriminating taste for the arts.

CULTURAL COMMITMENTS

Mr. Irwin, scanning the horizon for the possibilities of new money for the arts, recited the names of companies that have made all sorts of cultural commitments:

"The Esso Company's sponsorship of outstanding dramatic programs presented by professional companies around the country, its more recent concern for the support of Latin American artists, the Texaco Company's Metropolitan Opera broadcasts and 'The Bell Telephone Hour' are outstanding examples of corporate support of the arts, using the radio and television media.

"Eastern Airlines has commissioned a suite by three leading American composers, Henry Cowell, Paul Creston and Alan Hovhaness, which was recorded by the New York Philharmonic. Basic-Wirtz Furniture Industries, Inc. commissioned a concerto for its 75th anniversary. S. C. Johnson & Son invested $750,000 in a collection of paintings by contemporary Americans that has been shown abroad for two years and is now touring the United States.

"International Business Machines Corporation has been a pioneer in the collection of paintings from artists in countries in which it does business. It has made this collection available to galleries and museums around the country.

"The touring art exhibits of the Mead Corporation and Abbott Laboratories have strengthened the programs of local museums and galleries. Lever Brothers makes valuable ground-floor space on Park Avenue available for art exhibits. The International Hallmark Art Award is also noteworthy."

Mr. Irwin goes on, citing the contributions of American-Export Isbrandtsen Lines to opera, the Dell Publishing Company to Shakespeare in the park, the Union Dime Savings Bank to Bryant Park concerts. His honor list includes Shillito's in Cincinnati, Macy's in New York, Dayton's in Minneapolis, Minnesota, Mining and Manufacturing in St. Paul, Procter and Gamble in Cincinnati, the Baldwin Piano Company, the Columbia Broadcasting System, Chase Manhattan Bank, Inland Steel, Corning Glass, Crown Zellerbach, Schlitz, the Container Corporation of America and Boise Cascade.

IMAGINATION IS REQUIRED

But he knows, as does Mr. Rockefeller, that the corporate community as a whole has been cautious or indifferent. They both express the atmosphere of the new day, however, when they foresee a change. They are representative of farsighted leaders helping to bring about a widespread change.

But even as momentum grows for a significant shift in corporate attitude and generosity toward the arts, some cautionary words are in order. Mr. Rockefeller uttered a few when he advised cultural organizations to state their cases more intelligently and more forcefully. Mr. Irwin had some strictures about the need for new and more imaginative management of many cultural organizations.

In the new day of corporate-cultural cooperation, business also will need sophisticated advice. Its initial tendency will be, as it has been in the past, to support the established and safe institutions. While many of these are doing useful work, there are others with equal, if not more imagination, that deserve backing.

Business is often daring in its financing of research and development without immediate prospect of profitable returns. At least equal boldness is required in the arts, and

corporate leaders would do well to take adventurous initiatives. The great patrons of history are those who backed fresh and original talents.

OPERATION DEMOCRACY IN ACTION

Mr. McGEE. Mr. President, 15 years ago there were less than 30,000 foreign students studying in American colleges and universities; today there are about 82,000. The greatest percentage of these come from the underdeveloped countries of Africa, the Middle and Far East, and Latin America.

These young men and women study engineering, the humanities, the physical, and natural sciences. The skills and knowledge which they acquire here will contribute significantly to the economic and social development of their homelands. Many of these young people here today will be the leaders with whom we will be dealing in 15 years or so.

And so, Mr. President, I am happy to lend my full support to a program being sponsored by the Young Democratic Clubs of America and its student organization, the College Young Democrats, which aims to open the American political door to the men and women of other lands who are studying at our institutions of higher learning and provide for them a meaningful experience in grassroots politics all across the land.

This program is called Operation Democracy in Action. I have accepted with a great deal of pride an invitation by Virgil L. Musser, president of the YDCA, and Dale E. Wagner, chairman of the College Young Democrats, to serve as national chairman of this worthy project; for, as a former college professor, I know how much good a program such as this can accomplish.

Mr. President, the years which foreign students spend in the United States provide an unequaled opportunity for them to build strong personal bonds with our leaders of tomorrow and to gain a deep and profound insight into the problems of our Nation, to know our people, our system of government, our social and political values. But are we providing to them our fullest measure of assistance by doing no more than preaching to them in the classroom?

Of course, we cannot expect nor do we want the foreign students in this country to accept without question our particular values and ideas. They come to the United States with a cultural and political heritage which greatly influences their selection of what they admire or reject. But, to the extent that we allow our foreign friends to remain merely exotic spectators, both of us are missing our chance to learn. They are losing out on one of the greatest opportunities of their lives, and we are not receiving what they have to contribute to our life.

This program of the Young Democrats—Operation Democracy in Action—offers foreign students an opportunity to get off the sidelines, a chance to learn about and participate in, if they so choose, American politics at the local level.

Operation Democracy in Action is a program on our campuses and in our communities sponsored for both foreign and American students, for community youth and party leaders. Foreign students will observe at close range the American political process. On the campus the students will attend special lectures by professors of political science on American politics and the issues of this campaign. They will be exposed to the mechanics of a political campaign and practical politics by party officials and candidates. In the communities they will meet with candidates, make the rounds with them to meetings and rallies, and work with precinct leaders and ward captains.

On election day our foreign friends will see the results of the get-out-the-vote drives as they visit the polling places. They will visit candidates' headquarters, watch as the votes are counted, and move with the candidates as they celebrate their victories. All in all, they will have become involved in the political process rather than standing by and watching from the sidelines.

Several years ago a survey of Pakistan students showed that 72 percent felt that their studies in the United States were too theoretical. I hope that this program will complement their classroom studies and offer them a practical experience in the democratic process.

Operation Democracy in Action, Mr. President, is more than just a new educational program. It is a new form of foreign relations—grassroots foreign relations. I urge all of my colleagues to give their full support to this worthwhile project.

IMPORTANT SCANDINAVIAN-AMERICAN TRAINEE PROGRAM

Mr. SCOTT. Mr. President, an event that took place in Pittsburgh recently, I believe, deserves special attention and commendation. On September 8, at the Duquesne Club, about 30 key officials of a number of the area's leading industrial concerns and banking institutions attended a meeting to consider participating in a unique trainee program conducted by the American-Scandinavian Foundation. It enables young Scandinavians to acquire additional skills and a greater understanding of the United States through on-the-job career training of from 1 year to 18 months duration.

Carefully screened to insure the necessary qualifications of experience, character, ability, and interest, these young men and women bring to their American assignments the unique contribution of traditional Scandinavian intelligence and industry. Both the long- and short-term advantages of this international project for the American business community have been acknowledged by leading U.S. executives, administrators, and educators. The Foundation arranges training for representatives of all countries in Scandinavia, and is particularly anxious to increase participation in the program by young Finns who might not otherwise have the opportunity to gain experience in the United States. At the same time, this two-way exposure serves to help broaden the understanding between two freedom-loving countries that enjoy the fruits of a vigorous private enterprise system.

It is pertinent to mention that, in a statement of mine 4 years ago which appeared in the CONGRESSIONAL RECORD, I referred to Finland as "a nation of integrity" and stressed that increased beneficial trade between Finland and the United States merits our encouragement. Since then commerce with this small but stalwart country has been expanding, I am glad to report. It is my belief that the aforementioned trainee program contributes significantly to long-range trade policy objectives.

With respect to the meeting in Pittsburgh on September 8, a clear explanation of this unique, no handout program was given to representatives of the business community in Allegheny County by Mr. Taavi Pohjanpalo, managing director of the Finnish-American Society in Helsinki.

Arrangements were carried out for the presentation by John A. Donley, director of the Department of Commerce field office in Pittsburgh. The efforts of Mr. Donley, former Director of the U.S. Trade Development Mission to Finland in 1964, aided in bringing about an initial request from those at the meeting for approximately 50 trainees, with a number of industry executives requesting more time to submit additional requirements. I understand that Roy L. Morgan, Director of the Office of Field Services for the Department of Commerce, was instrumental in arranging for activities of a similar nature at other industrial communities during Mr. Pohjanpalo's brief tour of the United States this month.

Also at the conference in Pittsburgh to help assist the project was the director of the exchange division of the American-Scandinavian Foundation and the Washington representative of the Finnish-American Chamber of Commerce in New York City, a prime objective of which is to aid in increasing trade and investment opportunities between the two countries.

Highlights of Mr. Pohjanpalo's presentation and the favorable response it received were recounted in an excellent summary by William Allan, business editor of the Pittsburgh Press. I ask unanimous consent to have Mr. Allan's article from the Pittsburgh Press printed in the CONGRESSIONAL RECORD at the close of my remarks.

I commend his informative report on this trainee program and the focus it offers on a notable example of effective international relations in action. For further details about the project, the American-Scandinavian Foundation should be contacted at 127 East 73d Street, New York City.

In my judgment, this international training program, which is carried out through private initiatives and funds, deserves even greater participation by American business and industry in the days ahead.

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

I'LL TAKE 26: FINN-AMERICAN TRAINEE PLAN STARTS OFF BIG

(By William Allan)

Trained employees these days are where you find them.

Two dozen Pittsburgh executives, most of them in personnel, were introduced to a program yesterday whereby Scandinavian workers, with two years experience in their fields, will come over here and work for about 18 months in order to gain knowledge of American industrial ways.

Taavi Pohjanpalo, managing director of the Finnish-American Society, explained that some 200 to 300 Scandinavians annually come to America every year under the American-Scandinavian Foundation program.

They pay their own way plus their own health and accident insurance, and the American firm pays them either a cost-of-living allowance (up to $325 a month in the case of technicians, etc.) or the going American wage (in the case of registered engineers and other professions).

The program has as many facets as there are industries:

The trainee learns American methods and products, so he knows of them if he ever has to order or write specifications for equipment.

He, or she, brings European ideas with him for exchange (the Finns turn out some of the world's best designers) and also in-depth knowledge of the Scandinavian markets.

The visitor just might turn out to be an excellent representative of the American firm when he returns to his native land.

"This great country (America) does not need a small Finland," Mr. Pohjanpalo added, in a political sense, "but these people turn out to be the best ambassadors your country has because they understand American problems, American ways and American thinking."

Yesterday's meeting was set up by John A. Donley, director of the Pittsburgh Field Office, U.S. Department of Commerce, whose office in the New Federal Building will act as a clearing house.

The trainees must be between the ages of 22 and 35, although the average is about 24; have a good command of the English language; have two year's experience in their field after education, and have good character and professional references.

Their experience ranges throughout most fields, from typists through secretary, accountant, marketing, advertising; trainees are available, one female category being "restaurant hostess."

The American-Scandinavian Foundation has a Pittsburgh chapter, which has promised aid in helping the trainees get settled.

What was the reaction of the Pittsburgh executives at the session?

One, from an engineering design firm, sat down and wrote out an "order" for 26 trainees, about half engineers and half draftsmen.

The indication was that he was seeking employees to get the firm over the present boom.

OAS PEACE FORCE WITHDRAWS

Mr. SMATHERS. Mr. President, a little more than a year ago the Inter-American peace force was assembled to bring order to the Dominican Republic, then racked by bloody strife.

At the time, the press was jammed with gloomy reports—either bemoaning President Johnson's timely intervention or predicting a widening crisis in the Caribbean.

The doom spreaders have been proven wrong. U.S. troops and subsequently the men of the Inter-American Peace Force were able to quiet conditions to the point where an unquestionably honest and fair national election could be conducted.

Now the peace force—which once numbered 22,000 men from the United States, Brazil, Paraguay, Honduras, Nicaragua, and Costa Rica—has left the Dominican Republic, and I think it would be well to salute Brazilian Gen. Alvaro Alves de Silva Braga and his predecessor, Gen. Hugo Panasco Alvim, for their outstanding leadership in this difficult task.

The task of keeping the peace now reverts to the duly elected President, Joaquin Balaguer, and the Dominican armed forces and police.

It is encouraging to know that the United States is continuing to keep advisers in the Dominican Republic to better train the local police in riot control and nonlethal techniques of keeping order.

Nevertheless, Mr. President, I believe that there should be continued and kept ready, a permanent Inter-American peace force, that can serve as a fire brigade for the Americas.

Hopefully, this will be one of the topics to be discussed at a forthcoming Latin American Summit meeting.

I have long said that a permanent international peace force could help Latin nations to reduce spending for armament and national armies, and instead direct their funds toward the more important task of building healthier, happier societies.

However, it is time now to pay tribute to the men of the mission just ended for the patient and outstanding job they did and for helping to give the democratic process an opportunity to function in the Dominican Republic.

ADDRESS BY JOHN E. DAVIS, NATIONAL COMMANDER, AMERICAN LEGION

Mr. YOUNG of North Dakota. Mr. President, on September 1, former North Dakota Gov. John E. Davis was elected national commander of the American Legion at their 48th national convention held here in Washington.

As I said on that date, this is one of the greatest honors that has ever come to the State of North Dakota and I am sure that Comdr. John Davis will occupy this office with honor and distinction. I ask unanimous consent that Commander Davis' speech accepting this high and important post be inserted in the CONGRESSIONAL RECORD as a part of my remarks.

In his remarks Commander Davis outlines the program he proposes for the American Legion for the coming year. The program he has undertaken is one from which all Americans can gain inspiration. It is the type of program which in its implementation can do much to strengthen and preserve our Republic. Through the fine organization he heads with its more than 2½ million members, I know that this program will be carried to every part of our country.

I commend his remarks and his program not only to Members of the Senate but to all of the citizens of our great country.

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

ACCEPTANCE SPEECH OF JOHN E. DAVIS, UPON ELECTION AS NATIONAL COMMANDER OF THE AMERICAN LEGION, SEPTEMBER 1, 1966

Fellow Delegates to this 48th National Convention, fellow Legionnaires and friends of The American Legion—I'm grateful for the honor you have just bestowed upon me and for the vote of confidence you placed with me to serve as your National Commander during the year ahead.

To our retiring National Commander El James, you have my deepest respect, Sir, and my compliments on a job well done.

The responsibility I feel upon election to this office is just as real and just as urgent as that of any task, either public or private, that I have ever undertaken.

For the support and encouragement of American Legionnaires throughout the country during my candidacy—for the valued assistance of the men and women of my home Department of North Dakota who have labored long and diligently for this moment—for the love and loyalty of my family through another long campaign—for all this and much more, I thank you.

The office of National Commander of The American Legion offers an opportunity for service which can come to few men. I am both proud and humble to have received this opportunity—proud of my long association with this great American Legion which has been a bulwark of democracy for nearly half a century—humble in the knowledge of the great work that remains before us.

This Convention has given us important mandates that will determine our course of action for the coming year. It shall become an important part of my work to stimulate and to motivate the entire organization as we labor together to implement the mandates adopted at this convention.

One of the things we have done here can bring a strong, new lease on life to The American Legion, and I believe this is vitally important both to the future of the Legion and to the future of America. I am referring, of course, to convention action making Viet Nam era veterans eligible for membership in The American Legion.

With congressional action amending our charter to make this new generation of veterans eligible, it remains for The American Legion—for you and me—to let these men know what The American Legion is all about. We must make sure they are properly and cordially invited to join ranks with us.

Surely the common bond which we now have with each other—we must share equally with them. They, too, have worn the uniform of their country proudly and honorably in an era of international hostility not identified as a war, but which has claimed far too many American fighting men.

The number of Americans who have laid down their lives in Viet Nam makes this the fifth most costly struggle in American history in terms of human life. The end is not in sight. Their cause is the same as was ours—to stem the tide of aggression, to preserve the dignity of the individual human being, to save for other free men their right of self-determination.

I'm proud of the decision of this convention to invite these men and women to walk shoulder-to-shoulder with us. It is a privilege which they have earned. As of right now I expect every American Legionnaire to join with me in preparing to welcome these men and women into The American Legion.

I urge each of you to join with me in responsible action and in responsible promo-

tion of the stands taken by The American Legion so that we may further inspire the confidence of our fellow Americans and that we may make our organization increasingly attractive, not only to the newly eligible, but to those who have long been eligible but have not yet joined our cause.

In 1965 we showed a gain in membership. We are almost certain to register another increase in 1966, and I want to make it three in a row in 1967. Are you with me?

I know you are, and I need your help, for I have learned in my travels across the country there are many people, including eligible veterans who just don't know what The American Legion is all about.

The American Legion has nothing tangible to sell. There is no basis on which to sell our organization other than service. Let me ask you, what nobler aspirations can man have than to be of service to his God and to his fellow man?

The basic organizational structure of The American Legion is today essentially the same as it was when The American Legion was founded. We are today, as we were then, a community service organization with our roots deep in local activities. It is at the Post level where we establish our record and our prestige.

Being this type of an organization, we must be prepared to serve today on the basis of today's needs. One of the pressing needs of America, as I see it, is a return to the tried and true values of patriotism and the basic principles of Americanism. There is no organization in this land better prepared and better organized to stimulate in the hearts and minds of all of our people—that spirit—which conceived the principle of government of the people, by the people and for the people. This is the spirit which has nurtured and safeguarded that principle for nearly two centuries.

We know that ours is a living heritage, for we see it in the heroic actions of young Americans now serving their country in Viet-Nam and other troubled areas around the world. We see it here at home in the fine attitudes and the responsible citizenship exhibited by the vast majority of our people—young and old alike.

Yet, there is that loud and irresponsible element that draws so much attention to itself because of the off-beat, unpopular and sometimes dangerous notions which they espouse. That element, because of the attention which it draws, could well be mistaken for the consensus of the American people. Therein lies the real danger created by these people who dissent so violently, and sometimes lawlessly, from the positions taken by their country affecting our national security.

It is conceivable there could be no future unless there be an orderly society—unless there be respect for all our laws—unless there be responsible citizenship among all of our people.

Those who wilfully violate the law should be fairly and impartially judged and, where found guilty, forthrightly punished for their acts of wrong doing. Only then do we have the undergirding for sustaining our nation through this perilous period of history. Only then can we move ahead with programs that will provide for the improvement of our society and the well-being of our people.

This is a time for patience, tolerance and understanding. It is not the time for hot headed violence and civil disobedience which breeds crime and disorder.

We in The American Legion defend the right of dissent by all citizens of this Republic. But we also demand that those who dissent assume the responsibility for offering reasonable alternatives to those courses of action with which they disagree. This has been the attitude of The American Legion through the years, not just since the issue of Viet Nam became heated. It shall continue to be the posture of The American Legion in the year ahead.

Finally, and I cannot hope to cover today all the things that are in my heart and on my mind for the coming year, I would remind you that I have been associated with our National Security Commission for some 20 years, and I am thoroughly convinced of the need for national unity—the continued maintenance of our armed forces in a state of readiness to meet our global commitments—and the revitalization of our moral strength if we are to preserve our way of life.

The American Legion has an important role in the maintenance of both the moral and physical strength of this nation, and I propose that we address ourselves wholeheartedly to these major efforts in the year ahead.

1. To exert American Legion influence to the fullest extent where it is most effective—in the local community. There, by the opportunities offered through our established programs, by example of Post activity and by personal example of all Legionnaires, let's strive to complement significantly the virtues of family, church and community life. Let's help in every way we can to revitalize the moral strength of our people.

2. At the national level, let us strive to carry out all of the vital mandates of this convention, with a special emphasis on those which involve the physical strength of the nation, and the manner in which America carries out her relationships with other members of the family of nations.

We want to be sure of our security, and until we see signs of sincerity and a genuine desire for peace on the part of the communist world—and no such sign has yet been seen—The American Legion must and will continue to be America's strongest advocate of peace through strength.

EUGENE V. ROSTOW

Mr. RIBICOFF. Mr. President, I call your attention and that of my colleagues to the President's announcement yesterday of his intention to appoint Mr. Eugene V. Rostow as Under Secretary of State for Political Affairs.

This is an excellent appointment. I compliment the President on his choice. And I commend his action to my Senate colleagues.

I have known Gene Rostow for some 30 years. He is an old friend. I respect and admire his character, ability, personality, and devotion to duty. He is a man of the greatest intelligence and integrity. He has contributed much to the intellectual life of my home State, and of the Nation.

Mr. Rostow was not born in Connecticut, but in neighboring New York. However, most of his life has been spent in our great State. And Connecticut is the better for his having done so.

As dean of the Yale Law School, he has helped to train and broaden the horizons of an entire generation of young lawyers—men who are now taking responsible places in their communities and in the service of their States and of our country.

Gene Rostow is a graduate of Yale. And he is an outstanding example of the men produced by that great institution who feel deeply the call to serve "For God, for country, and for Yale."

His is one of the outstanding legal minds in the United States. He has been a member of the Yale Law School faculty since 1938. And his 10-year period as dean of that institution was a time of rigorous training but intellectual enrichment for all who attended the school.

In addition to his profound legal background, Mr. Rostow is both an economist and a historian. He is also a serious student of his own country's history and traditions.

In 1959–60, he was invited to Cambridge University in England where he was Pitt professor in American history and institutions.

His contributions outside the field of education are numerous. He has been a member of the Judicial Council of Connecticut for the past 11 years. In 1954–55, he served on the Attorney General's National Committee To Study Antitrust Laws. He was a member of the advisory council of the Peace Corps.

Nor is he new to the Department of State. For in World War II, he was an adviser to the Department. And he has been a consultant to the Under Secretary since 1961.

He has written numerous books and articles, particularly on legal subjects.

I will not cite his awards and honors, but they are many.

I will not list his memberships in organizations, though they, too, are many.

I will mention four things of which he is particularly proud—his wife, Edna, and three fine children—Victor, Jessica, and Charles.

Connecticut is proud of Gene Rostow.

I can only say that if we must lose him, we are happy that it is to the service of us all.

He will make a great Under Secretary for Political Affairs.

THE COURTS, AND ALCOHOLISM AS A DISEASE

Mr. JAVITS. Mr. President, three decisions in courts in California, New York, and the District of Columbia point up the increasing awareness that alcoholism is a disease and must be regarded as such before the law.

An August 16 opinion by Judge Harold H. Greene in the District of Columbia court of general sessions, criminal division, reaffirms the Easter decision that a chronic alcoholic may not be convicted or sent to prison on account of his intoxication and details the unfilled need for proper clinical care of alcoholics at the local level as an alternative to jail.

The opinion rendered last May in the municipal court of Los Angeles eloquently states the case for the court's recognition of alcoholism as a disease.

The June 6 decision in the U.S. District Court for the Western District of New York by Judge Harold P. Burke rules that alcoholism is a disability qualified for disability insurance benefits under the Social Security Act.

In the light of the interest that has been displayed in the developing body of law relating to alcoholism as a disease, I ask unanimous consent that these three decisions be included as a part of my remarks.

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

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS, CRIMINAL DIVISION

DISTRICT OF COLUMBIA, PLAINTIFF, *v.* RICHARD WALTERS, CRIMINAL ACTION NO. DC 18150–66; WILLIAM N. CAYNOR, CRIMINAL ACTION NO. DC 28136–66; ROBERT BROWN, CRIMINAL ACTION NO. DC 18770–66; ROBERT B. MOORE, CRIMINAL ACTION NO. DC 22873–66; ROBERT J. SMITH, CRIMINAL ACTION NO. DC 21639–66; AND TALFORD L. MILLER, CRIMINAL ACTION NO. DC 21904–66, DEFENDANTS.

Opinion

These six cases illustrate various aspects of the chronic alcoholism problem. Because this problem has caused considerable concern and some confusion, it may be useful, in the context of the present cases, to examine the various issues that have arisen in recent months.

The process of chronic alcoholic adjudication consists in essence of three distinct stages, which will be discussed hereinafter seriatim.

I

When an individual is arrested and brought before the Court on a charge of intoxication, it becomes necessary to determine whether he is a chronic alcoholic within the meaning of D. C. Code § 24–502. This is so because of the holding in *Easter* v. *District of Columbia*, —U.S. App. D.C.—, 361 F. 2d 50 (1966), that "chronic alcoholism is a defense to a charge of public intoxication" and that those afflicted with chronic alcoholism may not be convicted of a violation of D. C. Code § 25–128(a).

There has been some difference of opinion whether the defense of chronic alcoholism must be raised affirmatively by the defendant to be cognizable by the Court. In my opinion, the sounder view is that the Court has the obligation to inject this issue on its own motion when it appears likely from the evidence that the defense may be available. When the judge recognizes a prima facie case of chronic alcoholism from the defendant's criminal record, he should not close his eyes to the possibility of this defense, particularly when, as is so often the case, the defendant himself lacks both counsel and the intellectual capacity to raise the defense on his own.

Once the issue has been injected, a hearing must be held to determine whether the defendant is, in fact, a chronic alcoholic. D.C. Code § 24–504.[1] While a criminal record is some evidence of chronic alcoholism, it is obviously not sufficient, standing by itself, to warrant adjudicating the person involved a chronic alcoholic. That adjudication can generally not be made without the assistance of expert testimony.

The practice in the past has been for the District of Columbia Department of Public Health to furnish to the Court twice a week an expert capable of interviewing suspected chronic alcoholics and of testifying with respect to his conclusions. On June 28, 1966, the Court was informed that this program of pre-trial screening would be stepped up to a daily basis, and that in the meantime the twice-weekly screenings would continue.

Defendants Robert J. Smith and William N. Caynor (as well as a number of others) were arrested on intoxication charges between August 6 and 8 and held in jail pending the expected appearance of an expert for screening preparatory to a hearing on the chronic alcoholism issue. However, no such expert was made available to the Court at any time last week, and the Court was therefore unable to hold the hearings which are a necessary prerequisite to further action.

Had the Court been made aware initially that expert testimony and assistance would not be provided, it would have been bound to release these defendants as soon as they were brought before the Court;[2] for these persons could not have been held in confinement indefinitely, or until such time as expert testimony might again be furnished to the Court.[3] In short, defendants Smith and Caynor were held in confinement last week solely because the commitments to the Court were not kept.

This situation must not be allowed to recur. The Department of Public Health is now furnishing expert personnel to assist in the screening of persons suspected of chronic alcoholism, and assurances have been given that this service will continue to be made available. The Court will in the future insist upon strict adherence to the commitments.

However, insofar as the defendants Smith and Caynor are concerned, they were ultimately released when it became apparent that they could neither be screened for possible chronic alcoholism nor tried on the criminal intoxication charges. It does not appear practical to order their rearrest at this time and they may stand discharged.

II

After an adjudication has been made that an individual is a chronic alcoholic, he is committed to a "classification and diagnostic center for observation, examination and classification." D.C. Code § 24–505. The facility presently being used for this purpose is located on the grounds of the Occoquan Workhouse. The Court is being requested in chronic alcoholism cases to commit defendants to this institution pursuant to section 505, and the question therefore arises whether this institution is suitable within the meaning of the alcoholic rehabilitation statute. The evidence adduced at the hearing shows the following with respect to this facility.

The center consists of a single dormitory, with a small yard surrounded by a high fence. The patients do not work, and they have very little opportunity for exercise or recreation. They are also given very little medical attention. The defendant Robert L. Brown testified that during his 31-day stay at the center he saw a psychiatrist once—for five minutes. Another Occoquan patient, Richard T. Walters, was at the center for 41 days, and his total contact with a psychiatrist consisted of one ten-minute interview.

The patients relate conditions of overcrowding, lack of medical attention, uncertainty, unsanitary conditions, and confusion. Even if their statements are discounted to some extent as being a reflection of the almost universal tendency of those in confinement to complain about their treatment; still, their testimony was neither impeached nor contradicted, and must therefore be given considerable weight.

To the shortcomings of a physical nature must be added the fact that this center is located on grounds with which many, if not most, of the patients are familiar as housing a penal institution. The Occoquan Workhouse has traditionally been used for service of the sentences of those convicted of intoxication. For that reason, it would be difficult to find a facility less well suited as a framework for persuading chronic alcoholics that a new departure is being made, and that instead of a repetition of the cycle of arrest and imprisonment they will finally be given treatment for their illness. Motivation apparently is of great importance in the treatment of chronic alcoholism; confinement at Occoquan is unlikely to provide any chronic alcoholic with the motivation necessary to overcome his affliction.

It is of some interest that, by contrast with the patients, those who are at the Workhouse serving criminal sentences "have the freedom of the whole place." They are given preference over the patients in every respect—food, recreation, space, and exercise. All those who testified at the hearing who had experienced the Occoquan facility both as convicts and as patients emphatically agreed that they preferred criminal confinement. The following statements are typical: "If I ever go back I want to go back as a prisoner. I never want to go back down there as a patient. At least I won't be treated this way" (Tr. 14). "If I have to go back down there again, how about just giving me ninety days straight time, and let me do it?" (Tr. 28). "I would rather be a prisoner. I don't see where any public health is down there. Like them boys say, there is nothing down there to treat you" (Tr. 40).

It is quite obvious that a facility at which these conditions prevail is unsuitable for the treatment of chronic alcoholics. In all but name it is hardly more than a penal institution. Compare *White* v. *Reid*, 125 F. Supp. 647 (D.C. D.C. 1954).

The District of Columbia argues that it should be allowed to continue to use this center for diagnostic and classification purposes, urging that it has presently no other place available for the performance of these services.

The Court has broad discretion under the Alcoholic Rehabilitation Act, and in view of the District's predicament the Court is willing to exercise that discretion in favor of permitting the use of the Occoquan center for diagnosis and classification purposes, provided that diagnosis and classification do not simply mask the kind of incarceration prohibited by the *Easter* decision. In view of the nature of the Occoquan facility, this aim can be achieved only if it is made certain that patients are held there only for the absolute minimum genuinely required for diagnosis and classification.

The Court has been advised at various times that the duration of confinements at Occoquan would amount to five days (Tr. 50), seven to ten days (Tr. 74), or two weeks (Tr. 75). The defendants Brown and Walters were kept at the center for 31 and 41 days respectively. An examination of the papers of the group of 67 patients most recently returned from Occoquan shows that none was held less than 12 days, 25 were held two to three weeks, 3 were held four to five weeks, and 5 were held five weeks or more.

In view of this record, it is apparent that the Court must set time limits for confinement at the center. Until now, the Court's orders routinely provided for indefinite commitments (up to a 90-day maximum) for diagnosis and classification. Starting today, individuals will be committed to the Department of Public Health for a period of seven days; at the expiration of which they are to be returned to the Court with a recommendation as provided in the statute.[4]

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[1] At this hearing, the defendant is entitled to be represented by counsel, and, at his request, he may have a trial by jury on the alcoholism issue.

[2] It would have been impractical to release these persons on bond because bondsmen apparently will not stand surety in this kind of case.

[3] These prosecutions are brought by the District of Columbia; and at a minimum, the District has the obligation to assist the Court (which has no experts of its own) in the disposition of cases which on their face raise doubts about the legality of criminal prosecution.

[4] The practice apparently has been simply to submit written recommendations without returning the patients themselves to the Court. But the patients have a right to be present when the Court acts upon any Department of Public Health recommendations, in order that they may have an opportunity to voice their objections, if any.

This seven-day period appears to be more than adequate. The purpose of confinement at the center is to enable the Department of Public Health (1) to classify the patient as requiring either out-patient treatment under supervision or in-patient treatment in an appropriate institution and (2) to make a recommendation to the Court based on that classification. Inasmuch as no in-patient facilities are available, it should not require more than seven days—indeed it should normally require far less than that—to make the only conceivable decision: [5] a recommendation for out-patient treatment.[6]

It might not have been necessary to impose so rigid a time limit [7] if conditions at the center were conducive to the treatment of chronic alcoholism. But consistent with its obligation to follow the mandate of the Court of Appeals which prohibits the punishment of chronic alcoholics, this Court is unable to approve lengthy confinements in an institution providing so little treatment and so much simple incarceration.[8]

III

The third, and by far the most important problem in the process revolves around the decision as to the treatment of the alcoholics after diagnosis, adjudication, and classification. Under the statute, it is up to the Court to make such commitments for treatment as it deems "necessary and proper." The Court accordingly must in every case determine both the necessity and the propriety of the treatment recommended by the health officials.

At the outset, it cannot be emphasized too strongly that the alternative of incarceration on a criminal basis is no longer available. However desirable the previous system may seem to some, the fact is that the highest court of this District has held, in a decision in which all of its judges concurred, that a chronic alcoholic may not be convicted or sent to prison on account of his intoxication. The District of Columbia did not seek review of that decision in the United States Supreme Court; hence *Easter* is the law, which this Court is, of course, bound to follow.

Thus, only three courses of action remain open: (1) to leave chronic alcoholics on the street as long as they are not actually disorderly or in the process of committing some other offenses; (2) to arrest chronic alcoholics and then send them for out-patient treatment to a clinic; or (3) to hospitalize and treat chronic alcoholics on an in-patient basis.

Unlike some cities which have traditionally set aside certain areas where alcoholics may be on the street relatively unmolested (e.g., the Bowery in New York), this city has always prided itself upon a more enlightened attitude. The public philosophy in Washington has always been that it was not consonant with the dignity of the Nation's capital to permit alcoholics and other derelicts to encumber the streets and sidewalks, a peril to themselves and a nuisance to others. As Judge McGowan, concurring in the *Easter* case, stated, "The community will not tolerate uncontrolled drunkenness in public places, and will insist that the police act to remove it as before." It may be assumed that any other policy will continue to be unacceptable to this community.

That leaves, then, two possible courses of action. One is to continue the system which has been in use during the past 4½ months since *Easter* was decided; the other is to commit to a hospital suitable for the treatment of chronic alcoholics. These two alternatives—the only two available as a practical matter—will now be examined.

Under the present system, after an individual has completed his period of classification at Occoquan, he is almost invariably referred to an out-patient clinic for treatment, where he is given some medication and released. In a very large proportion of the cases, chronic alcoholics who are so treated almost immediately begin to drink again, are arrested again, are brought before the Court again,[9] are released again to the out-patient clinic, and so on and on in a dreary, never-ending cycle.

Defendant Robert B. Moore, for example, was arrested for intoxication fourteen times since his chronic alcoholism adjudication in May; and Talford Miller, who likewise was adjudicated a chronic alcoholic in May, has been rearrested fifteen or sixteen times since then. At least three of the six defendants in these cases have been in court again on intoxication charges since the hearing last week, one of them four times. And the experience of these individuals is typical of that of many others.

What do these statistics mean? They mark a system that is wasteful financially as well as psychologically. For one thing, it requires the expenditure of an enormous amount of law enforcement time and energy. Police officers who could be employed much more usefully in the war against crime must spend their time day after day picking up the same drunks over and over again, holding them for a brief period, taking them to court, waiting for their cases to be called, and then watch them being turned over to the out-patient clinic for minimal treatment and release and a prompt repetition of the same cycle, perhaps the very next day. This system is expensive; what is more, it will inevitably end up sapping the zeal of the police as well as whatever motivation the alcoholics themselves might have to make an effort to become rehabilitated. Moreover, few hard-core alcoholics are likely to be cured or to have their condition alleviated on this basis, and unless something is done, this futile process is doomed to be repeated endlessly, with the same cast of characters week upon week, except for the elimination of those unable to survive the rigors of winter on this regime, and their replacement by hardier drunks.

The other alternative is to commit to a hospital for 90 days, or, if necessary, for 180 days, until a cure is effected. The difficulty, of course, is that no such hospital is now available, and it will not be available unless the District designates and staffs an institution large enough to accommodate those hard-core alcoholics who cannot be helped on any other basis. No doubt such a facility will be expensive; it will be difficult to locate a building that is both available and suitable; the staffing will make considerable demands upon scarce medical resources; and there is no guarantee that some of the chronic alcoholics can be helped at all. But there can be no doubt but that an in-patient facility represents the only chance for solving the problem. Certainly, the present system of out-patient care is totally inappropriate for many of those who appear before the Court every day.

Because of these considerations, the Court would clearly have the authority [10] to refuse to make commitments of hard-core chronic alcoholics to out-patient facilities obviously unsuitable for them. Cf. *Peoples* v. *District of Columbia*, 75 A.2d 845 (Mun. App. D.C. 1950). If this were to be done, the consequence would be that these individuals would be left on the streets without the possibility of either chronic alcoholic treatment or criminal punishment, and the pressure would presumably be great upon the responsible authorities to provide in-patient facilities for them.

Yet in my view it would not be appropriate at this time to exercise this authority. Where the expenditure of funds is involved, the courts can and should operate only in the framework created by legislative and executive branches. In essence, the choice between the various alternatives must therefore be for the District of Columbia not for the Court. The chronic alcoholic problem is but one of many facing this city. Varied demands, some of them no doubt as justified as those arising out of the chronic alcoholic situation, are constantly being made upon the necessarily limited funds and energies available to the District government. It is that government which has the responsibility for making a choice among the multitude of needs; it is not the function of this Court so to shape its orders as to bring pressure to bear to cause the District to prefer one of its responsibilities over another.

That is not to say that the Court could not much more appropriately carry out its responsibilities under the Act if in-patient facilities were available. Nor is it to say that I do not believe that the District will not be induced, by the facts themselves, to deal decisively with the chronic alcoholism problem. These facts are plain.

The *Easter* decision will not go away. The 1947 alcoholic rehabilitation law will not go away. And the hundreds, perhaps thousands, of chronic alcoholics are not likely to vanish. Some may feel that the system of criminal punishment which at least provided a drying-out period for alcoholics was a perfectly appropriate answer to the problems of alcoholism. Others believe that action taken much earlier to implement the 1947 law would not have brought the community to its present impasse. But the problem will be solved neither by regret or resentment over the *Easter* decision nor by recrimination about what might or should have been done to carry out the congressional

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[5] Sixty-seven recommendations were received last Friday. Every one of them consists of a mimeographed sheet of paper, bearing the patient's name and number, and the following message: "The above named individual underwent evaluation in accordance with Public Law 347. Our examination reveals that he suffers from chronic alcoholism and it is recommended to the Court that he be committed to a 90-day period for outpatient treatment." That is the totality of the information imparted to the Court as a result of confinements lasting from 12 to 41 days.

[6] It has been suggested that time is necessary to make a diagnosis of diseases other than chronic alcoholism. If the witnesses who testified at the hearing are to be believed, little, if anything, is being done along those lines.

[7] The seven-day period will be extended by order of the Court in individual cases when special circumstances pertaining to the particular patient are demonstrated.

[8] The patients at Occoquan are under the effective supervision and control of the Department of Corrections, which apparently is even authorized by the Department of Health to punish them for infractions as if they were convicted criminals.

[9] I have given consideration to ordering the elimination of court appearances for those already adjudged chronic alcoholics, on the theory that such persons are legally in the custody of the Department of Public Health and should be turned over to that Department as soon as they are arrested. However, at least for the present, court appearances should continue, even though the Court has no power to convict these individuals and even though their adjudication for chronic alcoholism, once made, need not be repeated for 90 days. The requirement of court appearances provides a mechanism of control which, on balance, serves a useful function and should be retained.

[10] Under the very broad statutory provision authorizing it to "issue such orders as it deems necessary and proper" (D.C. Code § 24–506(a)).

mandate. Effectively, the choice now lies between perpetuating for the indefinite future a system of out-patient treatment, punctuated by periodic arrests and court appearances, with the attendant cost in police time and effort, court time and effort, confusion, disillusionment, and continued human suffering, on the one hand; and instituting a bold attack upon the problem in an effort to solve it once and for all, on the other.

It seems plain that the only program with any chance of achieving both success and stability is a swift and decisive move effectively to carry out the Alcoholic Rehabilitation Act for which Congress had such high hopes,[11] by providing the kind of in-patient facilities which will permit the removal of alcoholics from their environment for a sufficient length of time to give genuine treatment an opportunity to operate. Once that is done, the Court will for the first time be enabled to issue orders that are truly "proper" in implementing the statutory purposes.

IV

For the reasons stated, the charges against Robert J. Smith and William N. Caynor will be dismissed. The Court approves the recommendations made by the Department of Public Health with respect to Robert L. Brown and Richard T. Walters, and orders their treatment at the out-patient clinic for the remainder of the ninety-day period since their adjudication as chronic alcoholics. Robert B. Moore and Talford Miller will be directed to return once more to the out-patient clinic there to be treated in accordance with the previous adjudication.

HAROLD H. GREENE,
Judge.

AUGUST 16, 1966.

IN THE MUNICIPAL COURT OF LOS ANGELES JUDICIAL DISTRICT, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA, PLAINTIFF, *v.* JAMES DOBNEY, DEFENDANT—CASE NO. D 475555

Memorandum opinion

Observed by the police seeking peace, joy, God, or oblivion at the bottom of a liquor bottle, tear-eyed, bleary, reeking, and staggering James Dobney, 70, a human being has been charged by the People of the State of California with being a criminal in his quest. His chalice drained, his fantasy in bits, his pockets empty, and his mind a fog he confronts the State, its power, and its conscience without anger, without spirit, and without hope.

The court upon its own motion caused the defendant to be sworn. Upon the court's question defendant stated he had thirty-one prior convictions of public drunkenness (Penal Code 647f). This judge is persuaded that chronic alcoholism and the drunkenness which ensues therefrom is a disease.

To single out a diseased person and to classify and treat such person as a criminal solely because his disease manifests itself in drunkenness is to set that person in a class apart.

Prosecution of such a person solely because of his illness constitutes in this court's opinion a denial to that person of the equal protection of the laws and the due process of law guaranteed to him by the Fourteenth Amendment to the Constitution of the United States of America.

Such denial of constitutional rights cannot in this era of enlightenment be countenanced.

This court does not view lightly the enormous difficulty faced by society in treating with the problem of alcoholism. It cannot, however, in conscience attempt to deal with the dilemma by what it believes the unconstitutional use of the criminal courts and their procedures.

The complaint is therefore on the court's motion dismissed.

Dated 12 May 1966.

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Judge of Municipal Court, Los Angeles Judicial District.

U.S. DISTRICT COURT, WESTERN DISTRICT OF NEW YORK

PAUL JOSEPH SCHOMPERT, PLAINTIFF, *v* ANTHONY J. CELEBREZZE, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, DEFENDANT—CIVIL NO. 10,937

Plaintiff pro se., John T. Curtin, United States Attorney, for the defendant; Gerald M. Gallivan, Assistant United States Attorney, of counsel.

This is an action brought pursuant to the Social Security Act, 42 U.S.C. 405(g), to review a decision of the Secretary of Health, Education and Welfare. The plaintiff is an inmate of Attica State Prison. The Appeals Council denied the plaintiff's request for review of the Hearing Examiner's decision on his claim. Upon such denial the plaintiff commenced this action to review the Hearing Examiner's decision.

The defendant has filed an answer and the transcript of the administrative proceedings. On the basis of the complaint, the answer, and the transcript, the defendant moves for summary judgment.

The defendant's motion for summary judgment in its favor is denied.

Upon a review of the transcript and the pleadings, it appears that the plaintiff is entitled to summary judgment in his favor.

The following findings of the Hearing Examiner dated February 20, 1964 are not supported by substantial evidence:

"The Hearing Examiner finds that on the basis of the evidence presented, the facts demonstrate that the claimant is able by the exercise of self-control to abstain from intoxicants and thus remedy any impairment which at times under the effect of alcoholism might prevent him from engaging in work.

"Retrogression from time to time is not such evidence as would convince a trier of the facts that alcoholism as it exists in this individual is not curable or controllable. The evidence is contrariwise.

"In the light of the entire evidence of record and of the foregoing considerations, the Hearing Examiner finds that the claimant has not established that he has impairments, either singularly or in combination, of such severity as to preclude him from engaging in any substantial gainful activity at any time when he met the special earnings requirements of the Act and continuing thereafter through the date his application was filed. It is the decision of the Hearing Examiner that Paul J. Schompert is not entitled to disability insurance benefits or to a period of disability under Sections 223(a) and 216(i) of the Social Security Act, as amended.

"The claimant now having been found not entitled to disability insurance benefits the claim for child's insurance benefits under Section 202(d) must be disallowed."

To point up the squalid background of this plaintiff it is unnecessary to recite his entire history but merely to recite the following paragraph taken from page 19 of the Hearing Examiner's decision:

"Examining the claimant's history for the past two years, the frightening aspects of this individual's socially unacceptable behavior is apparent. Excluding from consideration for the moment testimony that the claimant was arrested sixty times in the period 1950 to 1959 as a drunk, vagrant and also charged with petty theft, grand larceny and breaking and entering, evidence has been presented at least on the basis of oral testimony by the claimant supported in part and whole by hospital records that practically on a yearly basis he was hospitalized because of attempted suicide. The seriousness of these attempts has been questioned but it is also noted that besides customarily cutting his wrist, he at one time threatened to jump from a hotel. In 1953 and 1954 and 1955, he was in Florida hospitals for this reason. In 1956 or 1957, he was in the Buffalo (New York) State Hospital. Again in February or March 1959 and January 1960 he was in Florida hospitals on an attempted suicide. We note that he was in jail in 1960 and was also hospitalized during that year in Florida. He spent a year to March 1961 in a Florida State Hospital, being discharged as competent. A month afterwards on April 11, 1961, he was in the Monroe County Hospital for four days for alcoholism. From July 29 to August 1, 1961 he was again in the Monroe County Hospital for alcoholism. Dr. Gardner testified that on August 11, 1961 he was committed as insane to the Rochester State Hospital from which he escaped and then went to the Cleveland State Hospital in November after having been in the Warren State Hospital and escaping. He was returned to the Rochester State Hospital where he again escaped on April 4, 1962, only to be picked up for petit larceny in Syracuse and sentenced to six months in the penitentiary. Following this sentence, he was back in the Monroe County Hospital on January 27, 1963 and committed the aforementioned crime on February 4, 1963 for which he is now at Attica Prison. It would thus appear that the claimants' ability to stay out of a hospital or jail since 1959 was limited to almost days rather than weeks or months."

The evidence before the Hearing Examiner not only did not demonstrate that the claimant was able by the exercise of self-control to abstain from intoxicants, but established just the opposite. Apparently the basis of the finding of the Examiner in this respect is that while the plaintiff was confined in institutions he did not use intoxicants. The evidence before the Examiner did not establish retrogression from time to time but did establish retrogression on almost a continuous basis over a period of years when he was not confined in institutions, and that such impairment as it exists in this claimant is not curable or controllable. What would control is self-control. That is exactly what is lacking in this individual; and that has been established by the evidence before the Hearing Examiner. Dr. Gardner's report of his examination of the plaintiff dated April 23, 1963 contained the following: "Prognosis is poor and it's believed that the patient will spend most of his time in various institutions."

Upon the pleadings and the transcript of the record, the plaintiff is entitled to summary judgment; (1) reversing the decision of the Examiner, (2) adjudging that on the basis of the evidence presented before the Hearing Examiner the plaintiff is not able by the exercise of self-control to abstain from intoxicants and is not able to remedy the impairment which he has on almost a continuous basis because of the effect of alcoholism, and that this mental impairment pre-

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[11] House Report No. 244, 80th Cong., 1st Sess., reads in part: ". . . If only a small percentage of the chronic alcoholics in the District of Columbia are reclaimed, the expenditure of the money provided in this bill will be well repaid from a moral and sociological viewpoint, and in addition the District will be saved the cost and expense of maintaining them in the workhouse. . . . The shortsightedness of this failure to act is as obvious as the evils which flow from the present system are manifest. . . . The observable increase in pathological drinking among citizens in all walks of life calls for forthright action. This proposed bill is a 'do something' measure that will not be a further burden to the ordinary income and property taxpayer."

vents him from engaging in any substantial, gainful activity, and can be expected to be of long continued and indefinite duration; that alcoholism as it exists in this plaintiff is not curable or controllable; that on the basis of the entire evidence before the Hearing Examiner the plaintiff has established that he had impairments of such severity as to preclude him from engaging in any substantial, gainful activity on June 30, 1961, and that such impairment has continued up to now and can be expected to be of long continued and indefinite duration; that the evidence establishes that the plaintiff was under a disability, as defined in the Act, beginning on or before June 30, 1961 and is entitled to disability insurance benefits, and that such disability continued thereafter through the date that his application was filed, and can be expected to be of long continued and indefinite duration; that the plaintiff is entitled to disability insurance benefits and to a period of disability under Sections 223(a) and 216(i) of the Social Security Act, as amended; that the plaintiff, now having been found entitled to disability insurance benefits, the claim for child's insurance benefits under Section 202(d) must be allowed.

Since the plaintiff is not represented by counsel, the United States Attorney is directed hereby to prepare a judgment accordingly and to submit the same to this Court for signature.

HAROLD P. BURKE,
U.S. District Judge.

MAY 24, 1966.

U.S. DISTRICT COURT, WESTERN DISTRICT OF NEW YORK

PAUL JOSEPH SCHOMPERT, PLAINTIFF, *v.* ANTHONY J. CELEBREZZE, SECRETARY OF HEALTH, EDUCATION & WELFARE, DEFENDANT—CIVIL NO. 10, 937

The above entitled matter having come on before the court, upon motion by the defendant for summary judgment, and the matter having been submitted to the court, and considering all the pleadings and records, and having filed a written opinion on May 25, 1966, it is now

Ordered that the defendant's motion for summary judgment is denied; the decision of the Secretary of Health, Education and Welfare be, and it is hereby reversed, and it is further

Ordered that Judgment be granted to the plaintiff, and it is further

Ordered that the case be remanded to the Secretary to determine the amount of benefits.

Dated: Rochester, New York, June 6, 1966.

HAROLD P. BURKE.

SENATOR RANDOLPH HAILS THE PROCLAMATION OF NATIONAL HIGHWAY WEEK

Mr. RANDOLPH. Mr. President, I am pleased to bring to the attention of the Members of the Senate that the President of the United States has proclaimed the week of September 18 to September 25 as National Highway Week. This proclamation gives well-deserved recognition to the men of the Bureau of Public Roads, the State highway departments, and the roadbuilding industry who are engaged in the cooperative venture of building the highways which this Nation requires for the well-being of all its citizens, both present and future.

I ask unanimous consent that the President's proclamation be printed in the RECORD at this point in my remarks.

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

A PROCLAMATION: NATIONAL HIGHWAY WEEK 1966

(By the President of the United States of America)

Americans have just cause to celebrate the progress that has been made in highway transportation in this Nation.

We have doubled the miles of paved streets and roads in the past 20 years, and our unequalled highway network, constantly being expanded and improved, makes us the most mobile country in the history of man.

Automotive vehicles traveling over those roads account for more than 90 percent of this country's personal travel. Virtually everything that moves from field and factory to the home utilizes this system in one way or another.

Planning, building, and maintaining the system requires constant and detailed cooperation between Federal, State and local governments, and private enterprise. The daily working partnership they have achieved is a remarkable example of creative Federalism.

American ingenuity and determination are constantly being applied to improve and expand this system. We are in the midst of a major effort to beautify our highways and roadsides, to provide rest and recreation facilities for highway travelers, and to make our roads and vehicles safer for those who travel them.

The continued growth of highway travel reflects the continued population growth in our country and the desire of our citizens for greater mobility. This greater mobility has increased opportunities for employment and recreation for everyone throughout the Nation.

Yet increased highway travel has also magnified many problems. Without careful planning, more and better highways between our cities only serve to increase traffic congestion within the cities themselves. We must continue to plan our highway system so that it will contribute to the rational use of urban space as well as to pleasant and convenient transportation throughout the countryside.

We must also strive for advances in automobile safety that will keep pace with advances in the design of our highways. Modern vehicles travel at greater speeds over longer distances than ever before; we must make certain that they are equal to the rigorous demands placed upon them by modern high-speed travel. Despite continuing improvement in highway safety design, the toll of highway accidents is steadily rising; that toll must be reversed.

It is essential that Americans understand and appreciate the importance of highway transportation to their social and economic progress, and to the defense of our Nation; that they recognize the individuals and industries that have made our highway transportation system possible; and that they support and participate in programs to improve the safety and beauty of our highways.

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, do hereby proclaim the week beginning September 18, 1966, as National Highway Week. I urge Federal, State, and local government officials, as well as highway industry organizations, and other organizations having a public-spirited interest in our national highways, to hold appropriate ceremonies during that week in recognition of what highway transportation means to our country.

Mr. RANDOLPH. Mr. President, the proclamation of National Highway Week was hailed by the roadbuilding industry which, through one of its leading spokesman, Maj. Gen. Louis W. Prentiss, U.S. Army, retired, executive vice president of the American Road Builders Association, called for speeding the interstate program to completion and "incorporating in design many of the safety features that have proven so successful."

National Highway Week follows closely on completion by the Congress of two major pieces of highway legislation this year. On August 31 the Congress completed action on the conference report of the Federal-Aid Highway Act of 1966 which authorized $4.4 billion for completion of the interstate system and construction of primary and secondary roads in fiscal 1968 and $4.8 billion for the same purposes in fiscal 1969.

On the following day, September 1, 1966, the Senate adopted the conference report and sent to the President for his signature the Highway Safety Act of 1966, which authorized $267 million in Federal matching funds for State and local highway safety programs for the next 3 years. As I stated at the time of Senate action on this vital measure, it represents the first comprehensive Federal effort to reduce the tragic toll of life and property destruction on our Nation's highways.

In this respect I think it appropriate to draw attention at this time to a recent editorial in Life magazine in the issue of September 2, 1966, in which the editors of Life emphasize the importance of this legislation. Without detracting from the significance of the auto safety legislation and the valuable work of the Committee on Interstate and Foreign Commerce in bringing forth this legislation, I concur with the view of the editors of Life that it is the Highway Safety Act of 1966 which is designed to reduce the number of "first collisions," without which the so-called "second collision" cannot happen. I therefore ask unanimous consent that the Life editorial be printed in the Record at this time.

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

WHY KEEP SAFETY IN THE DARK?

The auto safety hearings that produced some of Washington's better dramatics of the past season also produced two bills that should make it a little less easy for American drivers to kill themselves. The debates of the experts, for one thing, established the point that in most accidents there are two collisions, not one.

When a car strikes something solid enough, it stops dead—the "first collision." Then, following an inexorable law of physics, the people inside the car continue on with undiminished speed until they fetch up against something solid enough to stop them—windshield, dash or steering column. That is the "second collision."

The auto safety hearings, which produced a bill passed recently by overwhelming margins in both the Senate and the House, was concerned primarily with the "second collision," and making the interiors of cars less deadly for flying humans.

It is too bad that the auto safety bill got all the publicity, because trailing along in its shadow was a second bill—the highway safety act—that is designed indeed to cut down the number of accidents, not soften their impact. Without a "first collision," the "second collision" can't happen. Despite extravagant claims made for padded dashes and collapsible steering columns, the real

potential for lifesaving lies in the highway safety act (which, like the auto safety act, has passed both houses and is certain of presidential approval).

The act will allow the Secretary of Commerce to set minimum standards for, among other things, driver education and licensing, vehicle inspections, traffic control and highway design. The states, which now have *conflicting* standards—or none at all—in these fields, will get federal grants to help modernize. And, if they don't agree to shape up, they face the loss of 10% of their federal highway funds.

Stricter standards in every field of highway safety are proven lifesavers and—in most states—long overdue. Take the case for better highway lighting, for which the Secretary of Commerce would be empowered to set standards:

In Chicago, a well-lighted stretch of expressway has a death rate only one third the average on all American expressways.

In Indianapolis, auto fatalities dropped by 54% after a new lighting system was installed.

In Virginia, improved lighting at nine "high-accident locations" cut accidents by by 38% and fatalities by 90%.

Proper lighting adds less than one percent to the cost of a new highway, yet much of our new expressway network, and many older roads, are far too dark. The case for some prompt action on new lighting and other standards seems clear.

Mr. RANDOLPH. Mr. President, the legislative measures to which I have referred are but the most recent developments in the monumental highway construction program which began with the enactment of the Interstate and Defense Highway System in 1956. At that time the highway departments and the road-building industry were plagued with shortages of almost every conceivable kind in some degree.

Perhaps the most acute, and certainly the most widespread problem was the lack of professional or trained manpower in State highway departments. Many departments were unable to attract competent planning, design and bridge engineers because of statutory limitations on salary scales among the States. In many States land appraisers and right-of-way specialists were in shortage.

These and other shortages were responsible for many of the early errors and hesitant starts in the early stages of the interstate program. But in the 10 years since this largest public works program was initiated, the great bulk of these errors have been corrected, and the Interstate System construction program has been conducted with a degree of competency and efficiency which compares favorably to that of many other major public works construction programs.

The Interstate System is now 53 percent completed, with some 21,452 miles now open to traffic and another 6,000 miles under construction. When completed, it is estimated that the Interstate System will save some 8,000 lives annually and $11 billion in transportation costs to the users.

It is of the highest urgency, Mr. President, that this important transportation construction program be maintained on schedule. I say this with full knowledge of the claims of other programs, and with a shared concern for the growing interest in the problems of our cities.

The highway program, in a very real and meaningful sense, is one of the major programs aiding the cities. Out of the total cost of the National System of Interstate and Defense Highways, 46 percent is for improvements in urban areas. In the Federal aid primary and secondary highway program—the so-called A–B–C program—36 percent of all funds are being spent in urban areas.

We are realizing substantial benefits from these investments through greater efficiency, economy, and safety in urban highway transportation. These benefits perhaps would be more apparent if it were possible to contrast them with what our urban areas would have been like without the improvements brought about under the accelerated Federal-aid program of the past 10 years.

Mr. President, the Federal-aid highway program directly and indirectly serves all American citizens and it is one of the major factors in bringing this Nation to its unparalleled economic, political, and military strength. For these reasons, I welcome the Presidential proclamation of National Highway Week and join in this tribute to the men and women who participate in this great venture.

CONFERENCE REPORT ON SCHOOL MILK BILL TO BE TAKEN UP SOON BY SENATE

Mr. PROXMIRE. Mr. President, the conference report on the child nutrition bill containing a section extending the school milk program through fiscal 1970 was filed in the House of Representatives today. It should be approved by the House and come to the floor of the Senate for final approval within the next few days. Then the last step will be the signing of the bill by President Johnson.

This is good news indeed to those of us who have been fighting so hard and so long for the strengthening and extension of the school milk program. For it means that Congress will not have to rush through a bill early in the next session of Congress to prevent the program from expiring next June 30.

This legislative action will also make it possible for the thousands of school administrators around the country who are charged with child nutrition programs to plan their future budgets with greater assurance of an enduring Federal interest in the school milk program. But the ultimate beneficiaries of this timely action will be the schoolchildren who will drink the milk that is to be provided under the expanded and extended program.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

MULE CREEK OIL CO., INC.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of H.R. 8699, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8699) for the relief of Mule Creek Oil Co., Inc., a Delaware corporation.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that S. 1880 be indefinitely postponed.

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

DEPARTMENT OF LABOR-HEW APPROPRIATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when H.R. 14745, the Labor and HEW appropriations bill, is reported by the Committee on Appropriations, it be made the pending business.

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

Mr. MANSFIELD. Mr. President, for the information of the Senate, there will be no debate on the Labor and HEW bill until Monday next, at which time we will go into full operation, I hope.

THE PRESIDENT'S NEWS CONFERENCE ON YESTERDAY

Mr. MANSFIELD. Mr. President, President Johnson held a press conference on yesterday during which a number of important subjects were discussed. The President mentioned, for example, economic questions whose resolution await the enactment of the last of the appropriations bills.

He stressed once again the desire of this Nation to participate in negotiations looking to an end to the war in Vietnam and, in this connection, welcomed the recent peace initiatives of the Secretary General of the U.N. and Pope Paul VI. I am delighted that his press conference provided an opportunity for such a prompt American response to these initiatives. In the light of the President's response, I would reiterate the hope that U Thant will set forth a timetable and a step-by-step procedure for the initiation of negotiations and request this Nation and all others involved in Vietnam to follow it.

Incidentally and apart from my discussion of the President's press conference, I am tremendously heartened by the statement made in the United Nations this morning by our Ambassador to that Organization, Mr. Arthur Goldberg. What he made, in effect, was an open offer in a forum which represents all the world—or most of the world—so that all who want to hear could hear what our position is in the area of negotiations, and all who want to see could watch him, as a representative of the President and the United States, make this offer.

He stated, in effect, that this country is prepared to begin, and in fact to initiate, a phased withdrawal of U.S. troops if the Hanoi government will take corresponding steps to deescalate the Vietnam war.

He stated further—and I use this for emphasis—that this country will take the first step in such a deescalation.

He also said that the United States—and this is important, because much of the world seems to misunderstand the President's statement in this respect—that the United States does not intend to maintain permanent military bases in Vietnam.

The same would apply to all the other countries in southeast Asia where, for the moment, at least, military bases are being built, or are in operation.

I cannot emphasize too strongly the statement made by Ambassador Goldberg, representing the President of the United States and this country, that the United States does not intend to maintain military bases in Vietnam.

I would also say that, in effect, on instructions of the President of the United States, Ambassador Goldberg did take up U Thant's offer today in the proposals which he made to the United Nations. The points raised by Ambassador Goldberg dealt in some detail with the three-point peace suggestions advanced some time ago by the United Nations Secretary General. At that time, U Thant urged a cessation of the U.S. bombings of North Vietnam, the withdrawal of troops, and the inclusion of all parties in peace talks.

Let me say that the latter element is quite significant because the phrase "all parties" would include, in my opinion, the National Liberation Front. As a matter of fact, Ambassador Goldberg reiterated what the President said a year ago last August, when he stated that the question of Vietcong representation would not be insurmountable.

The President, in his statement a year ago last August, made a sweeping declaration to that effect, which I believe has not been well understood in this country and overseas.

What, in effect, he said—if one will read the wording carefully—is that the Vietcong would have no trouble being represented at the negotiating table.

Then, of course, I am delighted that Ambassador Goldberg has, once again, stated the position of the administration when he declared:

> We have not been and are not now inflexible in our position.

In other words, we are flexible to any reasonable suggestion which can be forthcoming by U Thant, Pope Paul, or anyone else, which will seek to bring to an honorable conclusion the conflict which exists at the present time in Vietnam.

Mr. President, continuing my remarks on the President's press conference, Mr. Johnson also mentioned, in passing, several appointments to the Department of State. I should like to note especially the designation of Nicholas deB. Katzenbach as Under Secretary of State. Many of us have become well acquainted with Mr. Katzenbach, particularly in the past few years during which he has served with the Senator from New York [Mr. KENNEDY] when the latter was Attorney General and as Attorney General in his own right.

Mr. Katzenbach has carried exceptionally heavy juridical and administrative burdens for the Government of the United States for many years. His new assignment, regrettably, will give him no rest, and the responsibilities will be, if anything, heavier. However, the great dedication and administrative experience which he brings to the office of Under Secretary of State will be most valuable to the Secretary of State and to the President of the United States.

I ask unanimous consent that the transcript of the President's press conference be printed in the RECORD.

I thank the Senator from Kansas [Mr. PEARSON] for his usual graciousness and courtesy in yielding to me to make these remarks.

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

PRESS CONFERENCE NO. 74 OF THE PRESIDENT OF THE UNITED STATES, WEDNESDAY, SEPTEMBER 21, 1966, IN THE CABINET ROOM AT THE WHITE HOUSE

The PRESIDENT. I am glad to see you here.

Question. Mr. President, you have said that when all of the bills are in from Congress you will know what the fiscal situation will be. You seem to be indicating that this may involve a tax increase. Is that so?

The PRESIDENT. No, I haven't indicated that. I have said that when the authorization bills are passed and the appropriations have been made, we will then see how much we can adjust those measures—to carefully review them and arrive at the total that will be spent. Then we calculate our revenues and do our best to bring them in line with our expenditures.

Question. Mr. President, one of the factors that has been mentioned in trying to arrive at these final figures is how much more the war in Vietnam is going to cost. Could you tell us how you are going to arrive at that, and at what time you expect to be able to make that decision?

The PRESIDENT. We have appropriated enough funds to run us through June of 1967, assuming that the war would be over at that time. We are carefully reviewing this each day. We are determining what our expenditures are there in the way of materials, planes, helicopters and men.

We will be making constant reviews of this every week and every month. I have been discussing it this morning with Admiral Sharp, who is commanding in that area. I will be asking Secretary McNamara and his people for figures through the fall.

We can't tell how much we are going to get from the Congress, because the Defense Department bill, in the nature of some $60 billion, has not been sent to us yet. After we get it we will see how much is for what purposes and make any adjustments we can. Then we hope to make the best estimates we can as to what additional moneys we will need, and so inform the Congress.

Question. When you signed the auto safety bill recently, you expressed the hope that companies would absorb the cost of new safety devices. Ford came out yesterday with price increases and said that the new safety equipment was a substantial part of it. Could we get your comment on that?

The PRESIDENT. I am having the Council of Economic Advisers study the statement that Ford released. They have not made a report to me yet. Naturally, I regret that it was necessary to have any increase in prices. I had hoped that these businessmen could have foregone the necessity of increasing prices.

I asked that they do that. But they are free to make their own prices; and they did. We are now analyzing what effect it will have on the economy.

Question. Mr. President, the Republican House leadership issued a lengthy document which, in effect, says the Vietnam War is Johnson's War and that you are not letting the American people know how far you intend to go. Could you comment on that report?

The PRESIDENT. No. I have made a comment on that report, and others like it, at my recent press conferences. You are going to hear a good many political partisan statements from some of the House Members between now and November. I don't think we serve the Nation or the world by debating statements of that kind with these particular individuals.

Question. Mr. President, there are reports now that the North Vietnamese may be interested in pursuing U Thant's proposal for peace. Would you tell us, sir, your reaction today to U Thant's proposals?

The PRESIDENT. We are very anxious to pursue any proposal that would interest the North Vietnamese. We have no indication that they are interested in sitting down and talking. But we welcome any opportunity to do that as we have all along.

Question. Mr. President, in that connection, Pope Paul VI has proclaimed October as a month of prayer for peace. You have reiterated again your desire for unconditional peace talks.

Do you see any chance of these two proclamations coming together and leading to a bombing pause?

The PRESIDENT. I am very happy to see the Pope take the interest that he has. I want to do anything I can to encourage that interest and to support him in any moves that he may make.

So far as the United States is concerned, and our allies are concerned, we are very anxious to participate in any negotiations that the aggressors are willing to participate in.

I think that is the general feeling of all the nations of the world with the possible exception of two. We will do anything we can to encourage the Pope, to cooperate with him, to support the negotiations.

Question. Mr. President, do you still hope to visit most of the 50 States before the November election?

The PRESIDENT. I would, of course, like to be in all of the States, all of the time. The implication of your question is that I have stated that I plan to.

I think I stated that at the rate we had visited other States and the time left for us, it was possible to go into all of those States. We have no plans to.

We want to visit every State that we can, whenever we can. But until we have the schedule clear here and I can be away from Washington, I am not going to firm up any engagements. When we do I will announce those engagements and go every place I can.

Question. Mr. President, Senator DIRKSEN said yesterday that you hadn't really tried very hard to persuade him to drop his opposition to the Civil Rights bill.

Will you comment on that, sir?

The PRESIDENT. No, I haven't read Senator DIRKSEN's statement. I think the President's position in connection with that measure is abundantly clear. I have tried to persuade the Congress to embrace my viewpoint.

I am very happy that a majority of both Houses, in a democratic situation where majority rule should prevail, have supported the measure that we recommended.

I believe in due time that measure will be again considered, favorably acted upon, and

will become the law of the land. Justice to all of our citizens will not only be guaranteed but will prevail.

Question. Mr. President, several times recently you talked about bringing expenditures in line with revenue. Are you planning on a balanced budget for 1967?

The PRESIDENT. I think that we will have to see what the Congress appropriates, what our review indicates. Of course, I can't tell at this time because I don't know whether there will be any add-ons to that budget or not. I don't know what the needs of Vietnam will be. It would be just sheer speculation that I think will have little value.

Question. Mr. President, there is a long list of petitioners, including some prominent people, who have expressed the fear that West Germany might get a finger on a nuclear trigger, as a result of your upcoming talks with Chancellor Erhard.

What is your response to that, sir?

The PRESIDENT. I don't have any such fear. I will have a full discussion with Chancellor Erhard on the problems of our respective countries. But I don't anticipate any agreement of the nature they fear being consummated.

Question. Mr. President, could you please give us your assessment of the war in Vietnam, how it compares with the situation a year ago? And are there any chances of having it finished by June of '67?

The PRESIDENT. I don't think that I can add much to what you already know. Whatever I say I think probably would be held against me if I didn't just hit it on the nose.

I think you can observe from the papers each day what is happening. Admiral Sharp and General Westmoreland think that we are going about as they had expected. They are very pleased with the successes which our men have achieved out there.

They feel very good about the results they have been able to obtain. We have definite plans that we believe will be achieved. But just to say precisely what day these plans will be achieved is a very difficult thing in a war.

I don't think any Commander in Chief has ever been able to do that. We seek peace. We would like to see the shooting stop tomorrow. We would like to talk this thing out instead of fight it out. But as I have said so many times: unless the aggressor is willing to give up his aggression, and sit down and talk, we have no choice except to try to defend and to protect these liberty-loving, free people. We are going to do that. How long the aggressor will maintain his aggression will depend on his decision more than ours.

Question. Mr. President, the Latin American nations which originated the idea seem to be getting together on plans for the Summit Conference which you expect to attend, I understand. I wonder if you could give us your idea of what the accomplishments of such a meeting might be?

The PRESIDENT. I think we are now working on the plans and proposals being formulated. They are not concrete yet. I think when the heads of the nations come together it is always necessary to have an agenda and to have the matter well planned out in advance. Our people are doing that now.

We think that there are a good many subjects that are deserving of consideration by the heads of state. They will, of course, be explored by the Foreign Ministers in their meeting, and then later, if we think it desirable, by the heads of state. But we haven't reached the point yet where we could announce an agenda, or could even outline for you what proposal can be made by individual countries. This is being worked upon by the staffs and the Foreign Ministers and the State Departments of the various nations.

Question. Mr. President, there is a little debate here about what you meant the other evening when you said you wanted——

The PRESIDENT. Who is debating? I want to know which side to get on.

Question. I will work up to that. The Vice President reported out there that you had mentioned to the labor leaders the other evening that as long as you were President you wanted him by your side. There has been some debate in the newspapers about whether that meant——

The PRESIDENT. I don't think that I would get into that, Hugh. I would just let you go on and debate.

Question. Mr. President, in speaking today and yesterday about new recommendations in terms of the economy and the Congress, did you have in mind the hope that you would get something together before they go home for election, to call them back after, or next year?

The PRESIDENT. I didn't have any timetable, Max. I have in mind that as soon as we can get the authorization bills and as soon as the appropriations bills are available, they will be carefully reviewed. Then we will make our judgment and we will immediately submit it to the Congress.

Now, if you can tell me when those bills will be received and when the departments will be able to conclude their study of them, I can tell you it won't take me very long.

Question. Mr. President, are you going to submit a new civil rights bill to the next session of the Congress, sir, and if so, will it contain an open housing provision?

The PRESIDENT. I will tell you in my State of the Union message our program for the next session of Congress. I think you can be reasonably sure if no action is concluded between now and the State of the Union Message that I will have recommendations in that field.

But I don't really know that we ought to try to spell them out this morning, because we will be working on that from now until January. We will spell out all of our recommendations for the 90th Congress in the January message.

Question. Mr. President, will the Administration seek to salvage any of the other titles like Federal juries, or anti-terrorism sections in this session of Congress?

The PRESIDENT. I don't know what the action of the Congress will be. I haven't reviewed that with the Attorney General or the leadership on the Hill. All I know is the vote that took place on cloture. Whether the Congress would be disposed to again consider civil rights, I don't know. You can get the answer to your question about the possibility of further moves in that direction more from the Congress.

Question. Mr. President, sir, we really have not been told how much the war in Vietnam is costing and how much it is costing from day to day. This question has been put to Mr. McNamara early in the year and he said it is almost impossible to tell, and lately U.S. officials said they couldn't quite tell us. Don't you think the American people ought to be told? And I am sure you know.

The PRESIDENT. I think that the Congress, through the Appropriations Committee and Authorizations Committee, have had very full details on our expenditures, men, money, and materiel in Vietnam. I would commend to you some home work. Read the hearings.

Question. Mr. President, you mentioned that there seemed to be an indication among all nations of a desire to seek a negotiated settlement or talk of peace except for two. Have you noticed any change of attitude on the part of the Soviet Union's willingness to aid in this process?

The PRESIDENT. I haven't noticed any change in attitude. I have felt all along that they would like to see negotiations and discussions rather than what is happening.

Question. Mr. President, there are a number of vacancies in the State Department. Can you give any indication of when those will be filled?

The PRESIDENT. Well, one became vacant yesterday, the Under Secretary, Mr. Ball. That will be filled as of right now with the Attorney General. Mr. Katzenbach will resign and become the new Under Secretary, when confirmed by the Senate.

Question. Can you tell us who you are going to appoint Attorney General?

The PRESIDENT. No, I haven't reached a decision on that. I am talking about the number of vacancies that Mr. Childs referred to. Mr. Ball wrote me on the 17th. I promptly responded and accepted his resignation. He has had a very outstanding career. He will be available to work with us from time to time. We have known for some time that he wanted to leave in the fall. He established the date in his letter.

I have asked the Attorney General to accept this post. He has agreed to do so. I have asked Mr. Eugene Rostow to also become Under Secretary of State in a position formerly occupied in this Administration by Secretary Harriman and Secretary Mann.

As you know, Mr. Eugene Rostow was a former Dean of Yale Law School. He and Mr. Katzenbach are both very interested in the international field.

Mr. Katzenbach was a professor of international history for a period of years. He has written in that field. He and Mr. Rostow will work very closely together as the Under Secretaries of the Department. Mr. Rostow only concluded his arrangements with Yale University last evening.

I am asking Mr. Foy Kohler to return from Moscow to succeed Mr. U. Alexis Johnson in the Deputy Under Secretary's place.

These nominations will go to the Senate very shortly.

Question. Mr. President, do you regard this as a promotion for Mr. Katzenbach?

The PRESIDENT. I hadn't spent much time on what it was. It is a great opportunity to serve the country and the world.

Mr. Katzenbach is one of the most competent and selfless men I know. He said to me shortly after I became President that he would serve the President in any capacity where the President thought he could be useful.

As far as I am concerned, he is not concerned with title or promotions or demotions. He is concerned with serving the interests of the nation.

Question. Mr. President, do you have a replacement for Mr. Kohler in mind yet, sir?

The PRESIDENT. No. I have talked with Mr. Childs to get this little State Department matter straightened out. (Laughter.)

Question. Mr. President, does the fact that Ramsey Clark's father is on the Supreme Court rule him out as Attorney General?

The PRESIDENT. I won't get into that. I haven't made any decision on that, as I have said to you before.

Question. Sir, the prospects for a treaty on outer space, which appeared to be fairly bright a month ago, seem to be a little clouded by some recent Soviet-U.S. exchanges on particular provisions that remain to be negotiated.

Are you still hopeful that the treaty can be signed this fall?

The PRESIDENT. I am.

Question. Mr. President, can you tell us what happened to your hopes announced last year for a new Maritime policy. What recommendation can we expect, and when?

The PRESIDENT. Well, we kind of went astray in the House of Representatives in connection with the new Transportation Department.

We hope we will be able to get the Senate to act next week on the new Transportation Department. When we do, we will reconcile the differences between the Senate bill and the House bill. I hope to be able

to name a new Secretary of Transportation whose job it will be to develop such a policy.

Question. Mr. President, do you expect to get any more recommendations from your Labor-Management Advisory Committee on Guideposts, and do you plan to expand its work in any way?

The PRESIDENT. Yes. We have been conferring with Labor-Management people from time to time.

This is a very difficult problem when we have full employment. We know that when most people have jobs at good wages, we have problems with pricing.

The Labor-Management people are studying it. They are working on it. Individuals are making suggestions to me from time to time, and they have made some collectively.

We will look to them for cooperation and I have no doubt but what we will get it.

I just hope that all the leaders of industry and the leaders of labor in this country will not increase prices or increase wages beyond their increased productivity. Because when they do this it makes problems for the rest of the nation.

We are trying to do our best to practice restraint.

Question. Will that, sir, be part of your discussions with Mr. Meany later today?

The PRESIDENT. Yes. We will discuss that along with a number of other matters.

Question. Mr. President, Senator KENNEDY of New York has suggested it is a mistake for you to dwell so much on the accomplishments of your Administration and the prosperity of the country, and you should focus more on the things that need to be done. Would you comment on that?

The PRESIDENT. Yes. We are trying to do that every day. We have submitted a program on things that need to be done—and we are doing them.

We have passed about 70 measures this year on things that need to be done. We have some 10 yet to be acted upon.

I agree we ought to have a program and that we ought to try to get it passed, if possible. I am rather pleased at the success which we have achieved so far. I am very grateful for the cooperation of all of the Members of the Congress.

The PRESS. Thank you, Mr. President.

REDUCTION OF U.S. FORCES IN WESTERN EUROPE

Mr. PEARSON. Mr. President, I rise as a cosponsor of Senate Resolution 300 proposing a reduction of American military forces in Western Europe.

It is my conviction that the time has long since passed when the Governments of the United States and Western Europe must recognize and understand the hard facts of truth.

The commitment of a U.S. troop contingent of 350,000 to 400,000 men in Western Europe is no longer necessary, or in the best interests of the United States, or our European friends. The Senate resolution of 1951 calling for the maintenance of six divisions in Europe has been rendered obsolete by new realities and the advice of the Senate on this matter should be changed.

To argue differently, I believe, is to ignore both the realities of today and the purposes of yesterday. There may be logical differences of opinion as to mechanics or timing, but all understand that these forces were for a particular purpose in a special time for unique circumstances. To deny 20 years later that these particular, special, and unique conditions have not changed exhibits a rigidity of thought and policy unsuited for a powerful nation in an accelerated changing world.

Mr. President, my attention is initially directed to a procedural issue. Should the resolution first go to committee? My position is in the negative, although I am not adamant. A full-dress hearing would serve, I am persuaded, to strengthen support for the resolution. Yet the record shows that this question has been widely studied within this Chamber, and without, for several years. As the distinguished Senator from Missouri [Mr. SYMINGTON] has pointed out, six sets of relevant hearings on this matter have been held this year.

Moreover, Mr. President, the resolution should be understood: it does not make withdrawal mandatory. It does not specify how many troops shall be withdrawn. It does not set up a time schedule for withdrawal. It does not prescribe mechanics. This resolution, in its fullest sense, expresses the conviction of the Senate that a substantial reduction of our military contingent in Western Europe may be made without repudiation of our moral commitments to our friends or of our legal obligations under the NATO alliance. For these reasons I perceive no disadvantage to the Senate committee system nor the intelligence of the Senate in making this issue the direct business of this body.

Mr. President, the basic concept of my position in support of this resolution revolves around two facts which I find valid. First, the U.S. forces in Western Europe have now accomplished all objectives for which they were originally assigned. Second, their continued presence is serving to thwart realization of other objectives of the Western alliance.

There were, as I understand, Mr. President, four original objectives which justified our large military contingent in Western Europe.

First, the force was needed as a realistic deterrent to direct Soviet aggression.

Second, the presence of this large contingent served to reduce the financial burden on the Western Europeans for supplying all the needed conventional force deterrent at a critical stage in their economic recovery process.

Third, our military forces were needed as evidence of the credibility or our commitment to resist the expansion of communism in Europe. The America that Europe had known for the first part of the 20th century was an isolationist America; a nation which since its birth had repeatedly pledged itself to resist entanglement and involvement in European affairs. The Europeans remember our decisive entry into World War I, but they also remembered that we insisted upon, as a term of peace, the creation of a League of Nations that we then refused to join as once again we promptly retreated into our old isolationist shell. The Europeans remember that we entered World War II, but only after virtually all of Europe had been overrun by the Nazi war machine and only after we were attacked by Japan. They were also aware that immediately following V–J Day we launched a hurried demobilization of our vast military machines. Therefore, it seemed absolutely necessary that we do more than simply issue verbal pledges to resist Communist aggression.

Fourth, it is undoubtedly the case that the large American military contingent, operating within the integrated NATO command was necessary to ease the way for the emergence of the German Federal Republic as a fully committed and mutually acceptable partner within the Western European community and its assumption of a significant role in the security in Western Europe.

Mr. President, our present troop commitment dates from the period when direct Soviet aggression was a very real probability. U.S. troops were stationed abroad at a time when the capacity of the Western European powers to provide for their own military defense was extremely small. But both these conditions are now substantially changed.

The majority view of our diplomatic and military intelligence holds that at this time an act of overt, direct Soviet aggression in Western Europe remains possible, but highly improbable. The threat of the postwar years has largely diminished. The justification of the maintenance of our conventional military forces has also, therefore, proportionately diminished.

It should also be noted that our modern airlift capacity, recently demonstrated, clearly proves our ability to deploy troops in Europe or elsewhere within hours.

Nor by suggesting a substantial withdrawal of our conventional forces have we reduced our capacity or willingness to retaliate with nuclear weapons should the Soviets be so foolish as to move against free Europe. No modern mind believes that armed conflict in Western Europe will remain or even commence at the so-called conventional level. Our nuclear commitment will remain in the future as it has in the past the major deterrent to aggression in Western Europe.

It also needs to be emphasized that in recommending a substantial reduction in American forces we in no way suggest that the military forces of Western European nations should likewise be reduced. We recognize as do all responsible European leaders that it is absolutely necessary to maintain a significant and convincing military force in Western Europe. This is needed in part as a deterrent against possible Soviet aggression and, probably more importantly, to assure the maintenance of reasonable and tolerable relations with the Soviet Union. No less than we, the Western Europeans recognize that when dealing with the Soviet Union one must be able to operate from a position of convincing strength.

The question then becomes, can the Europeans themselves supply the necessary conventional military deterrent? There are those who argue that Western European economies are not yet strong enough. But a realistic look at the economic prosperity of Western Europe belies the validity of this argument. Western Europe has the economic means to maintain whatever conventional military force is needed. Few believe that she does not have the will to do so.

But more is involved here than simply the question of the capacity of the Western European countries. An absolutely vital factor that must be taken into consideration is our own capacity to maintain our troop commitments there. If we had no other security commitments in the world besides those to Europe, then we could easily afford to maintain those forces. But such obviously is not the case.

American Armed Forces are spread around the world. A recent authority cites these estimates:

United States (including Alaska and Hawaii)	2,210,000
Cuba (Guantanamo)	4,000
Puerto Rico	9,000
Panama Canal Zone	10,000
Western Europe	350,000
Mediterranean (6th Fleet)	25,000
Japan	36,000
Okinawa	45,000
Southwest Pacific (7th Fleet)	80,000
Guam	8,000
Philippines	16,000
Formosa	9,000
Korea	55,000
Thailand	25,000
South Vietnam	300,000

Moreover, of the 21 Army and Marine combat divisions, 5 are standing guard in Europe, 6 are fighting in South Vietnam, 2 on duty in Korea, and 8 are based in the United States. Our security commitments expand around the world. The central and meaningful fact is that our military manpower and resources do have a limit.

What of the argument that our continued military presence there at the current level is needed to maintain the credibility of our commitment to defend Western Europe? There are those in Europe who continue to argue that the United States cannot be counted on to defend Europe in the face of a really serious threat from the Soviet Union. Thus, there are those in Europe who suggest, in effect, that the presence of American conventional forces serve as necessary "hostages" to guarantee the full use of America's military might if, in fact, the unexpected occurs.

To this one can only reply that if the credibility of our commitment to resisting the expansion of communism in Europe is still not established, there is little hope that it ever will be.

If in fact our troops are viewed as "hostages," then I suggest that Americans are being asked to pay too high a price for Western Europe's psychological peace of mind.

Finally, it is interesting to note that those same people in Europe who argue that the United States cannot be counted upon to defend Europe are now complaining that we persist too vigorously in our commitments in Asia, and are very generous, indeed, in their recommendations about how we should be withdrawing troops from southeast Asia.

One of the most vigorous arguments advanced against a reduction of our military forces in Western Europe is the impact such a move would have regarding the position of West Germany. Many argue that this would encourage West Germany to acquire its own nuclear force; that it would strengthen the old-time German militarists; that it would encourage West Germany to try to reach some accommodation or agreement with the Soviets.

Mr. President, I do not believe that these are realistic arguments. I would again reiterate that no one proposes that we abandon either NATO in general or West Germany in particular. We are simply proposing a reduction of surplus military forces at a time when they have served their purpose and logic dictates that they are no longer needed.

Indeed it would be naive to assume that all problems associated with the proper role of West Germany and the European community have been solved. Much remains to be done. But will American troops contribute to any such solution? The time has come for West Germany through her own means to take greater initiative and responsibility toward finding her place. Likewise, the time has come for other European powers to accept the Bonn government as a full and independent partner.

Mr. President, another argument that is set forth against this resolution makes a point that we should not reduce our forces in Western Europe without first negotiating an agreement with the Soviet Union to similarly reduce its forces in Eastern Europe.

First of all, let me point out that this resolution in no way precludes any such prior negotiation. If this administration or any other administration, in compliance and in consultation with NATO, can bring about such negotiations, then it should proceed to do so.

Second, I would make the point and observe that a reduction of American forces could ultimately bring about a similar reduction in Soviet forces without negotiation and in a manner that could have greater long-range benefits. During the past year or two the Eastern European nations have shown increasing success in securing greater independence from the Soviets. Mr. President, I believe that a reduction in our forces will help encourage that trend and I would suggest that such a move on our part could encourage these nations to put greater pressures on the Soviets to withdraw their troops from Eastern Europe.

Another argument advanced against this resolution is that it would be most unwise for the United States to reduce its forces without prior consultation and coordination with other NATO powers. Mr. President, it comes now to the point of repetition that I would again point out that this resolution in no way requires or even remotely suggests that we should make such a move on a unilateral basis. Indeed I am confident that all of the sponsors of this resolution fully expect that the final decision to withdraw, the precise number of troops affected, and the timetable and mechanics for executing it would be reached multilaterally. Indeed, the sponsors, I believe, would be most surprised if this were not the case.

Mr. President, our present troop commitments in Western Europe are a part of a policy that had its origin in a perilous period in the late 1940's and the early 1950's. Then it was necessary for us to assume a major or even a dominant role in the political, economic, and military affairs of Western Europe. This Nation undertook that role, which all assumed would be temporary, because of the real threat of Communist expansion. That policy was successful. It served the times well. But now times are different, and conditions have dramatically changed. A new Europe has come into being. This new Europe requires a new policy.

The threat of Communist expansion in Western Europe still remains. But who among us really believes that it is as serious as it was a decade and a half ago? The Western European nations still need assistance in the face of a Communist threat. But who among us really believes that Western Europe is still so weak that it must depend so heavily upon the United States for conventional forces?

Mr. President, the greatest challenge in Europe today is no longer the containment of communism, but the fulfillment of the long hoped for unification and integration of the European community. Because there has been a shift in priorities, we must begin to shift our policy efforts accordingly.

It is my intention to deal with the above stated and general question in greater detail in a subsequent speech. But I suggest once again at this time that the maintenance of our present military force level in Western Europe is increasingly serving to discourage the realization of a unified independent Europe.

Our present military commitments in Western Europe are a symbol of what I feel is becoming an increasingly paternalistic attitude toward the new Europe. As a result, our view of what our role should be in Europe is becoming subtly distorted. This affects our own sense of priorities, and, in return, evokes an unhealthy response from Western Europe. In essence, it encourages too many Europeans to continue to rely on the United States when in fact they are strong enough to stand on their own. And also those Europeans who recognize that continued heavy American involvement is no longer really needed begin to resent it; and out of this resentment they assume an antagonistic position toward the United States. The result of all of this is that the American, far from being a materialist, becomes a disappointed idealist. He sees himself as the Don Quixote of our day—as a righter of wrongs, who left his village to set the invaded nations free. For these causes he gave his blood and his treasure. He has met with many reverses and with a very little gratitude. The interplay of paternalism and resentment, small human emotions, affects the large issues of world relations.

Mr. President, for those who say that a reduction in American forces may serve to break the back of the already faltering NATO, I would reply that it is just such a move that might save NATO. The Western alliance came into being primarily because of American leader-

ship. It can survive in the future only through greater European leadership.

Mr. President, the conditions of the new Europe, the heavy demands of our commitments and challenges in other parts of the world, the status of our current balance-of-payments problems, and the necessity of advancing the cause of European unity require that we begin to rethink and redirect our entire foreign policy effort. A necessary first step is the official recognition of a fact that is almost universally accepted unofficially—the present level of American forces in Europe is no longer needed, justified, or desirable.

Mr. President, I conclude with this observation: If, in fact, it is the case that the present level of American military forces in Western Europe is necessary to resist Communist expansion in that part of the world, or if this force is necessary to assure political stability within Western Europe, then the future of the free world is bleak indeed. If the Western European community, with its great economic and technological power is unable to provide the necessary conventional military force, or if the Western Europeans cannot yet achieve the degree of political union that is needed to resist Soviet pressures, then there is little hope that we will ever be able to successfully resist the spread of communism in other parts of the world. If it is still necessary in the 1960's to maintain five to six combat divisions in Western Europe, how many more divisions will we have to maintain in Asia, Africa, and Latin America, and for how many more decades?

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

Mr. PEARSON. I yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I commend the distinguished Senator from Kansas for the thought he has put into the speech he has just made, which I have read several times as well as listened to, and for the research which went into it.

I believe that the Senator, in effect, has answered all the arguments against consideration of Senate Resolution 300, a resolution seeking to advise the administration that it is the sense of the Senate that there should be a substantial reduction of American forces in Europe—the term "substantial," of course, to be defined by the President, and to be what he would determine it should be.

I was interested in the table, on page 4 of the Senator's speech, showing that more than 3 million American servicemen are stationed in practically every continent on the face of the globe. I am sure the Senator realizes that even this list, comprehensive as it is, does not portray the full picture as to exactly how many more Americans are scattered in other areas, in other parts of the world.

I would say also that the Senator's statement, "the central and meaningful fact is that our military manpower and resources do have a limit," is not only the truth, but certainly is very pertinent in the situation which confronts this country today.

I was glad to note that the Senator had answered the arguments relative to what would happen in West Germany if there were a substantial withdrawal of American troops. I have an idea, may I say to my good friend from Kansas, that the German people would not be at all averse to a substantial reduction of American forces there, because I do not think it speaks well for any country to have on its own soil foreign soldiers for two decades or more, as has been the case in Germany since the Second World War.

Then, of course, I would point out also that the Senator—and I am sure he will cover this in a later speech—did not mention the fact that when President de Gaulle asked us to withdraw our forces from France, we had 30,000 men there, and between 40,000 and 50,000 dependents—in other words, between 70,000 and 80,000 American personnel.

Did we take that as an opportunity to remove these forces and their dependents and bring them back to this country? We did not, except for a few wings of aircraft. The rest had been shipped, or are in the process of being shipped, to England or to the Western European area. As a matter of fact, the military commanders of Western Europe have asked that these people who are being forced out of France be reassigned to them.

I could say a great deal more about what the distinguished Senator has said, because I have marked his speech here and there. But it would be repetitious for me to add to what he has already said. He has answered the arguments which have been raised.

I look forward to his subsequent remarks on this most important subject, and I want him to know that I, for one, deeply appreciate the thought, the logic and the understanding which went into the speech he has just made. But that is a hallmark of the Senator from Kansas. I recall his making a speech on the Cuban situation which I thought was one of the most brilliant documents ever presented in the Senate.

This is a continuation of that same trend.

I commend him and assure him that there will be an opportunity to discuss this matter in the Senate.

I am delighted that the Senator is one of the cosponsors of the resolution.

Mr. PEARSON. Mr. President, I thank the distinguished majority leader. I am very grateful for his comments and am also grateful for his leadership in introducing this particular resolution which I am most pleased to cosponsor.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AUTHORITY TO SIGN BILLS, RECEIVE MESSAGES, AND FILE REPORTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate until 6 o'clock tomorrow evening, the Vice President or President pro tempore be authorized to sign duly enrolled bills; the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives; and committees be permitted to file reports.

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

ORDER FOR ADJOURNMENT UNTIL MONDAY AT NOON

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

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

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CORN REFINERS ASSOCIATION, INC.

Mr. MILLER. Mr. President, recently the Corn Industries Research Foundation, Inc., which has its headquarters in Washington, changed its name to the Corn Refiners Association, Inc.

The change is a logical step since the activities of the foundation expanded greatly in the years which followed its organization in 1932. Today, the successor to the foundation, the Corn Refiners Association, is a trade association for the corn millers which manufacture starch for industrial uses, corn oils, corn sirups and sugars, feeds, and other products. In 1965 the industry processed more than 200 million bushels of corn.

Along with the name change, the association took another step which, in my opinion, was both important and unusual. The group approved a "statement of policy" which said that the member companies felt they owed a debt to American agriculture whose discharge would require the association to carry out educational programs that call attention to the importance of farming and the contribution it makes to the national economy. The association also went on record to the effect that the member companies felt they should pursue policies and support programs which help to preserve agriculture's prosperity and stability.

Today, only about 7 percent of the people live in rural areas and many persons think in consequence that agriculture plays little part in our burgeoning economy. They are wrong. Let me

quote some Department of Agriculture data and figures which buttress my statement that farming still is our most important industry:

Farming employs 6 million workers—more than the combined employment in transportation, public utilities, the steel industry, and the automobile industry.

Agriculture's assets total $230 billion, equal to:

About two-thirds of the value of current assets of all corporations in the United States, or

About half the market value of all corporation stocks on the New York Stock Exchange.

The value of agriculture's production assets represents over $27,000 for each farm employee.

The farmer spends nearly $30 billion a year for goods and services to produce crops and livestock; another $12 billion a year for the same things that city people buy—food, clothing, drugs, furniture, appliances, and other products and services.

Each year the farmers' purchases include:

$3.4 billion in new farm tractors and other motor vehicles, machinery, and equipment. It takes 120,000 employees to produce this farm equipment.

$3.4 billion for fuel, lubricants and maintenance of machinery and motor vehicles. Farming uses more petroleum than any other single industry.

$1.8 billion for fertilizer and lime; and, farmers use more each year.

Products containing 320 million pounds of rubber—about 9 percent of the total used in the United States, or enough to put tires on nearly 6 million automobiles.

28 billion kw.-hrs. of electricity—or more than 4 percent of the Nation's total, or more than is needed annually by Baltimore, Chicago, Boston, Detroit, Houston, and Washington, D.C.

3 out of every 10 jobs in private employment are related to agriculture.

Six million people have jobs providing the supplies farmers use for production and family living.

Eight to ten million people have jobs storing, transporting, processing, and merchandising the products of agriculture.

But these facts are known to comparatively few people off the farm. Nor do many persons realize that the problem of hunger outside this well-fed United States is the greatest problem confronted by mankind, with the exception perhaps of the threat of an H-bomb war. There are about 3.1 billion people in the world. Around half of these suffer from chronic malnutrition and undernourishment.

Our ability to produce more than we can consume and our modern farming methods must be used if the problem of hunger is met. Most of the food deficit concentrates in the underdeveloped areas where there is great political unrest. It is in these regions that the Communists are busy, trying to exploit the misery of the masses. What the Communists do not emphasize, however, is the failure of their own system in agriculture. A Communist country is a hungry country and the greatest contrast between free enterprise and collectivism is in farming. While many are not aware of it, the starving in this world will be hungrier still if they rely on the Communists to feed them.

A food-for-peace program is near final approval in the Congress. This measure increases funds for exports to the deficit countries and we are undertaking a campaign to help other nations improve their own farming methods.

The food-for-peace program is the first of many, and our own public needs to know the reasons behind it. They need to know the absolute necessity of keeping our own agriculture prosperous so that it can help meet the challenge which confronts it both here and abroad. And what is not generally realized is that our own farm productivity enables us to give our own people cheaper and better food than the people in any major country in this world.

But the public must know the facts and getting them to the urban dwellers requires sustained effort. Therefore, I think the action of the Corn Refiners Association is heartening and farsighted. Actually, farm prosperity spreads like ripples on a pond. The expansion in acreage which already is beginning with the decline in our own surpluses and the increased demand here and abroad helps many, many industries off the farm. In particular, does farm prosperity affect a great agricultural State like Iowa.

I commend the Corn Refiners Association. There are three plants of members companies in Iowa: The Clinton Corn Processing Co. at Clinton, the Hubinger Co. in Keokuk, and a plant of Penick & Ford, Ltd., Inc., of New York, at Cedar Rapids, Iowa. All are assets to the State.

I think other business groups and concerns might study the example set by the Corn Refiners Association which, insofar as I can determine, sets a precedent. It will take all the resources we can muster to do this formidable job of education but once the people are well informed, I have no fear of the result.

The Corn Refiners Association is headed by Robert C. Liebenow, former president of the Chicago Board of Trade. He is an agribusiness leader who has long insisted that industry must concern itself with the welfare of agriculture and must take the case for farmers to the public. I am certain the most constructive action by the association is partly due to his influence and I want to congratulate both him and the progressive concerns which make up the group he heads.

THE SUSPENSION OF THE INVESTMENT TAX CREDIT—INFLATIONARY TOOL OR EXPEDIENT?

Mr. KUCHEL. Mr. President, for many months the economy of this Nation has been afflicted by the virulent scourge of inflation. It has upset our financial markets; it has all but destroyed the longstanding blessing of low interest rates for investment; it has cut deeply into the budget of the American housewife; it has paralyzed home construction and financing.

The superimposing of the costs of the Vietnam war on the high level spending programs of the Great Society has produced a growing imbalance in the economy. Sustained price increases in food, services, and industrial products threaten the delicate structure of our economic stability. For millions of people dependent on a fixed income from social security, pensions and past savings, the figure of inflation casts an especially foreboding shadow.

Nowhere in this Nation has the effect been more painful than in the Western States. Far from the concentration of capital in the financial centers of the east coast, investors on the Pacific Coast States have been accustomed to paying more both for capital and for industrial products. In my own State of California, prospective home buyers in the past year have been paying excessively high interest rates on home mortgages. The twin plagues of higher consumer costs and higher investment costs have already crippled the home construction, and savings and loan industries, in California, and they are expected to work more mischief before their course is run.

When the economy is unable to accommodate a rapid increase in spending, steps must be taken to reduce inflationary pressures without threatening the health or strength of the economy itself. On September 8, 1966, the President finally offered his program for preserving the economic stability of the Nation. Among the steps recommended were two which will require the approval of the Congress. H.R. 17607 provides for a 16-month suspension of the 7-percent investment tax credit for new business investment in equipment, and a similar suspension for the accelerated depreciation of buildings. Since the introduction of these proposals before the Congress, a great deal of controversy has arisen over the potential effectiveness of these suspensions, and, in particular, the curtailment of the investment tax credit. The Treasury frankly concedes that there will be severe hardships and inequities for many taxpayers, but it alleges that as large as these inequities loom, they should be ignored.

Leading economists agree that the use of any tax as a contracyclical tool should include the following: First, it must be promptly effective and its economic results consistent with desired effects; second, it must be equitable; and, third, it must not create uncertainty in business planning, investment, and output.

Mr. President, it seems to me that the suspension of the investment tax credit fails on all three grounds.

The Treasury estimates the current overall average of order-to-completion time—commonly referred to as lead-time—for credit eligible equipment to be in the range of 9 to 12 months. In some cases, as in the airline industry, the period may be as long as 2 years. The tax credit suspension would serve no good purpose in such industries. It would be a very bad result. It would result in a delayed effect on restraining equipment production and investment expenditures. The desired economic impact would not occur for at least 9 to 12 months and perhaps longer, at a time when the business cycle may no longer require such restraints. The consequences could be tragic; they could well mean the difference between a recession and a depression. Industries operating at high gear would suddenly slam to a halt.

The present inflation has had particularly drastic effects on the economy of my State. The proposed curtailment of the investment tax credit would com-

pound that hardship, by foreclosing on the growth potential of the peacetime production of many important manufacturers, in particular, the air transport industry. As every Member of this Chamber knows, we are on the brink of an immense breakthrough in this age of supersonic flight. The longstanding supremacy of the United States has been challenged by foreign nations, including the Soviet Union.

Mr. President, modern industry produces no other item for public use that is more costly, that requires more careful thought in planning and construction than the commercial transport plane. The air transport industry must be able to plan several years ahead if it is to maintain its productive capacity at an economic level. The maintenance of this capability is vital, not only to California, but to the entire Nation. Donald W. Douglas, Jr., president of the Douglas Aircraft Co., forecasts, accurately, I believe, the adverse effects of enacting the suspension bill:

> The action proposed to deal with a current problem can be expected to substantially reduce orders during the suspension period and have a very unfavorable effect on a quite different economic situation in 1968 or 1969. This would have disastrous results in the form of dislocations to airline reequipment plans and to orderly production of commercial aircraft, resulting in not only a costly and inefficient lull in aircraft manufacture but also substantial layoffs and severe cutbacks which would hamper domestic production of aircraft. This dislocation and its effect on production costs could be expected to give foreign manufacturers a competitive advantage with adverse effect on our balance of payments position since aircraft provide a substantial share of our exports.

Mr. President, that is the comment of a distinguished leader in the aircraft industry. His words should be heeded by all Senators.

In a word, Mr. President, the proposed legislation will result in the kind of large-scale unemployment and production cutbacks that mean economic disaster for States highly dependent on such large industries. In my own State, there are over 500,000 people dependent on the aerospace and airline industries for their income. Are their jobs to be sacrificed in 1968 for the problems of 1966? It is a sad commentary on the policies of this administration when possible future unemployment must be used as a club to control present spending.

The equitable application of the suspension clearly leaves much to be desired. The President contended:

> The suspension should be across the board, without exception, applying effectively and equitably to all investing industries. No special treatment or special exclusions should be made for this brief period of suspension.

But how can it be applied equitably when its results are inherently so inequitable? The clear discrimination against the long leadtime manufacturers is only one example.

What of the industries involved in equipment essential to the national security or welfare? The highly complex and specialized nature of products needed to meet national security demands the continuous modernization of our plants as well as the constant design, fabrication and installation of new tools and equipment. We are only now beginning to reduce the tremendous boxcar shortage that exists throughout the country. Are all these national needs to be sacrificed for the sake of equality?

What of the industries which have contracts, prior to the proposed suspension date, with options to purchase? The buyer in these contracts, of course, relied on the availability of the investment credit in parting with the consideration for the option. Should he now be made to choose between letting the option lapse, forfeiting the consideration therefor or exercising it without receiving the anticipated investment credit?

The uncertainties and hazards of the above consequences are only emphasized by the words of President Johnson himself when he stated:

> The suspension could well be looked at again in January of '68. We have no arbitrary position in the matter.

Is this then the basis upon which businessmen must plan their future investments?

Mr. President, there is little question but that action must be taken to control this Nation's overheated economy. But such action should not be a political expedient to avoid increasing taxes in an election year, nor should it attempt to use a device which was intended to be a permanent part of our tax structure. The tax credit is not or was it intended to be an economic spigot to be turned off and on as a selective tax device of fiscal policy. Its effects are not prompt, its application is not equitable, and its consequences are not certain.

Should the administration persist with this questionable solution, the Congress must give serious consideration to exemptions for long lead-time industries, for option contracts and for industries involved in the Nation's defense needs. To do otherwise would be to threaten the very economic stability these proposals seek to achieve.

Mr. President, I yield the floor.

THE KENNEDY ROUND: A SITUATION REPORT

Mr. SMATHERS. Mr. President, early in July I spent several days in Geneva with our delegation to the Kennedy round of trade negotiations. My objective was to find out what was going on in these trade talks, now more than 3 years in progress, and to report my observations to the Finance Committee and the Senate. Chairman LONG accorded me the status of a congressional delegate to the negotiations, giving me a vantage point from which I could closely observe Geneva activities and participate in our delegation's deliberations and in its contacts with other delegations.

It is my intention, in this report, first, to review the history of the Kennedy round from its start; second, to indicate where things stand at the moment; third, to comment on what can be expected to result in these negotiations; and, finally to record my own views on this endeavor.

My narrative on the progress of the talks will necessarily be somewhat extended in order to put into proper perspective the present situation and future prospects.

THE TRADE EXPANSION ACT

President Kennedy, in his major legislative effort for 1962, sent a message to Congress on January 25, asking for a trade bill "to meet the challenges and opportunities of a rapidly changing world economy."

The Trade Expansion Act was to provide the means through which, by negotiations, there would be a general lowering of world trade barriers. Expanding export opportunities was the primary objective.

A special concern for this country, as for others, was the new external tariff wall of the European Economic Community. The trading nations of the world had to retain their ability to compete in the Common Market. Its rapid economic expansion promised to make it an economic entity with population, purchasing power, and living standards comparable to those in the United States.

The Trade Expansion Act provided, first, a general authority to cut tariffs reciprocally by 50 percent.

Second, additional authority was provided for use specifically with the EEC to make it possible to eliminate tariffs on those products for which the United States and the Community together accounted for 80 percent or more of free world exports. This provision covered most of the items of greatest interest traded between the United States and Europe.

Third, to aid the developing countries, duties and discriminatory treatment on tropical products could be eliminated in concert with similar action by the EEC.

The President concluded his message with these words:

> At rare moments in the life of this Nation an opportunity comes along to fashion out of the confusion of current events a clear and bold action to show the world what it is we stand for. Such an opportunity is before us now. This bill, by enabling us to strike a bargain with the Common Market, will "strike a blow" for freedom.

The high purposes and far-reaching objectives of the bill won massive support around the country and the Congress supported, with large majorities, the Trade Expansion Act of 1962. It passed and was signed on October 11.

AN EARLY REVERSAL

One paramount supposition underlying American planning was that by the time negotiations were underway, the United Kingdom would have joined the European Community. Our concept of a United Europe—in both the economic and the political sense—included Great Britain, then actively negotiating to enter the EEC.

In January 1963, however, General de Gaulle abruptly vetoed the entrance of Britain to the Common Market. At one stroke, the most far-reaching objective of the Trade Expansion Act was killed. The scope of the negotiations had been narrowed—the character of the proposed trade negotiations had been substantially changed before they had begun.

The authority to eliminate tariffs where United States-EEC trade accounted for 80 percent of free world exports now lost its importance. Without the inclusion of Great Britain, the trade covered by this authority was negligible. The design for unimpeded Atlantic trade was lost.

With the British thrown back on their original scheme—the rival seven-nation EFTA, or European free trade area—much of the underlying political purpose of the proposed trade negotiations was negated. Western Europe—rather than being a unified community—was now split into two rival trade blocs, each busily distorting traditional intra-European trade patterns.

Now, therefore, the EFTA countries joined the United States in pressing the Common Market to negotiate its external tariff downward. An across-the-board 50-percent cut in industrial tariffs and acceptable conditions of access to world markets for agricultural products became the main objectives of the negotiations.

The GATT ministerial meeting in May 1963 finally launched this effort. A year of preparatory work followed.

In May 1964, 1 year later, the Ministers met again. The basis for negotiation was then established. All classes of products would be covered, including agriculture; barriers to exports of developing countries should be reduced without the expectation of full reciprocity; the negotiations on industrial products would proceed on the basis of a 50 percent across-the-board tariff reduction with a "bare minimum of exceptions necessitated by reasons of overriding national interest." Finally it was agreed the negotiations would deal not only with tariffs but nontariff barriers as well.

THE NEGOTIATIONS BEGIN

In the following 15 months the sixth, or Kennedy round, of GATT trade negotiations proceeded in Geneva in an orderly if not rapid fashion.

Industrial exceptions lists were prepared and exchanged on November 16, 1964. Multilateral and bilateral confrontations followed.

A troublesome issue that had been debated through the previous year remained unsettled. The EEC insisted that where tariff rates between countries on the same items were at wide variance, the country with the high rate should cut more deeply than the country with the low rate. Certain high U.S. duties were the main target of this proposal.

It had been agreed at the 1963 ministerial meeting that there would be special rules for disparities that were significant in their effect on trade, but a formula that could be fairly applied and without adverse effect on third parties could not be agreed upon. The issue was shelved, and it remains outstanding.

In the field of nontariff barriers, working groups were set up to discuss specific complaints concerning the multilateral impact of impediments such as customs valuation procedures, government procurement practices, quantitative restrictions, taxation and antidumping measures.

In the spring of 1964, the United Nations Conference on Trade and Development met for the first time in Geneva, bringing intense focus on the trade problems of the developing countries. The effort to include these countries in a productive way in the Kennedy round received new impetus.

In November, tentative approval was given to a new GATT chapter on trade and development embodying commitments to be undertaken by GATT members for the purpose of expanding the developing countries' role in international trade.

Rules were established governing developing country participation in the negotiations themselves. Twenty-two such countries joined the 25 developed countries in the Kennedy round, with the understanding that they would not be expected to give full reciprocity for the benefits received.

Above all, however, agriculture produced the sharpest confrontation and forced the most difficult decisions in the first year of active negotiations.

The United States initially insisted that agreement on how agricultural products were going to be handled would have to be reached before the industrial exceptions lists were tabled. The inclusion of agriculture had to be confirmed as an integral part of the Kennedy round.

The Common Market made a proposal that essentially would have established its own protection scheme as the universal system. The United States joined other participants in rejecting this proposal, urging the EEC to make offers that would assure genuine liberalization.

A number of bilateral talks proved useless. The Commission negotiators had no flexibility in their mandate from the six country members.

November 16, 1964—the appointed day for tabling industrial exceptions lists—approached with no prospect of agreement on rules for agriculture. Fearing that the negotiations would lose irretrievable momentum if no action was taken, the United States agreed to exchange industrial exceptions lists on schedule while making it clear that its fundamental linkage of industrial offers to agriculture was unchanged. Offers to industrial products from all the major trading nations of the world were included.

The period of May 1964 through June 1965 was one of establishing timetables, exchanging technical information and, principally, of making initial probes along all the various fronts that had been established. There was progress and frustration. The hard bargaining phase was postponed.

CRISIS IN THE COMMUNITY

On June 30, 1965, the French walked out of a Council of Ministers meeting in Brussels and began a 7-month boycott of the EEC. The decisionmaking apparatus of the European Community, cumbersome enough at best, came to a halt.

Ostensibly the issue that precipitated the rupture concerned the financing of the agricultural system of the Common Market. France, the principal agricultural producer and exporter of the six, had a big stake in the decision on sharing the costs of farm modernization, production supports, and export subsidies.

Actually, the underlying causes of the break appear to have been more complex. The EEC Commission—which shares executive responsibilities with the Council—had proposed a scheme that placed a measure of control of the agricultural funds in its own hands. The French, sensitive to anything that might be construed as an incursion on the sovereignty of the member states, condemned both the scheme and the initiative of the Commission.

A second, but not secondary, issue was the approaching advent of weighted majority decisionmaking among the six, a stage of Community development set for January 1, 1966. Again, the loss of veto power in Community Councils was considered by the French a negation of national sovereignty.

The agricultural finance issue provided the excuse—the French took leave.

With already little enough flexibility in their negotiating instructions, the Community spokesmen now were unable even to seek revision of their mandate. Unless the five decided to go ahead without France, there was no means of reaching Community decisions. Only limited and progressively diminishing activity in Geneva could follow.

The EEC had agreed that agricultural offers were to be tabled September 16, 1965. Now, however, their inability to move was apparent.

Following the initiative of the United States, however, most of the important agricultural trading nations, with the exception of the six Common Market countries, tabled on schedule, withholding offers on products of principal interest to the six.

President Johnson had decided that what momentum remained in the trade negotiations had to be maintained. The tabling of agricultural offers would reaffirm both the commitment of the participants to sustain their effort and their determination to negotiate on agriculture.

With at least limited agricultural ofers to be analyzed and bilaterally discussed, useful work in Geneva continued through the fall and into the winter. Activity, and with it hope, then began to wane.

Behind the scenes, progress had been made, however, toward resolving the internal crisis of the Community. The French agreed to attend a meeting of the foreign ministers of the six in Luxembourg in late January of the new year. As a result of this meeting, a modus operandi evolved that permitted France to return to the Councils of the Community, without altogether abandoning her reservations on its emerging supranational character.

Understandably, as the Community picked up the threads of its work, the the pressing need to resolve internal issues took precedence over Kennedy round decisions that were hanging fire. A firm pledge to move forward in the Geneva negotiations was, however, part

of the package deal made at Luxembourg.

DECISIONS IN BRUSSELS

Throughout the spring of this year, the six countries of the Community hammered out, in often long and agonized debates, policies and arrangements for the conduct of EEC affairs. No decisions were more difficult than those involving Community agricultural policy, and in particular, the question of sharing the costs of financing their complex system of agricultural subsidies. This issue, which was on the table when the French walked out in June 1965 was finally resolved in mid-May 1966.

France, as the Community's principal agricultural producer, was the main beneficiary of the farm financing decision. The other EEC partners insisted, however, that this decision be part of a package and its implementation contingent on Community agreement on all the elements of that package, including remaining major internal agricultural regulations, agreement on Kennedy round agricultural offers, and on other outstanding issues relating to the Geneva negotiations.

Meeting in mid-June, the Ministers adopted negotiating directives for the Commission on Aluminum and Pulp and Paper, virtually the last of the offers on industrial items. They also amplified the elements of the EEC proposal on grains. Work on the remaining major internal agricultural regulations was completed in late July thus clearing the way for the Community to approve its agricultural offers in the Kennedy round.

It was not until the early hours of July 27 that final agreement on the bulk of Community agricultural offers was finally thrashed out. These offers were filed with the GATT in Geneva in early August.

The United States then proceeded with the tabling of its agricultural offers which were previously withheld as being of principal interest to the EEC. Other countries were urged by the Director-General of the GATT to do likewise.

HARD BARGAINING AHEAD

Midsummer completion of the tabling of virtually all Kennedy round offers meets the timetable set on July 8 by the Trade Negotiations Committee, which is the policymaking committee of the Kennedy round participants. This general schedule, based on the necessity of concluding negotiations in early 1967, calls for intensive and continuous activity through the fall in all phases of the Kennedy round.

By mid-November, each participant should have a comprehensive view of the aggregate of available concessions against which to judge the degree to which its own offers will be met by reciprocity. This is to say, a package of offers will be before our delegation representing the maximum other countries say they will give us. What we have put forward will be before each of them. On every side it must then be decided to what extent these offers balance each other. To redress unsatisfactory imbalances, improvement of offers will be demanded and modification or withdrawal of offers threatened.

This final and critical phase of the bargaining should be completed and an agreement ready for initialing by the end of February 1967. Some 4 months will be needed for the technical work necessary to prepare the final agreement in a form that will initiate the staged reduction of tariffs and to have it formerly approved by each of the countries involved. This agreement must be signed before the negotiating authority in the Trade Expansion Act expires June 30, 1967.

This schedule calls for intensive activity. The United States has insisted that the Kennedy round be completed in the first half of 1967. Negotiations cannot be permitted to drag on. The interest of the participants cannot be sustained indefinitely. Already the delays have weakened resolve and eroded commitments. In Europe, and indeed in the less developed areas of the world, other forces are already taking form and will soon take over the stage. The United Kingdom, for instance, has made clear—since the Labor victory—of its intent to ultimately revive her bid for membership in the Community. Other EFTA countries will follow suit. The Europe of President Kennedy's vision may belatedly evolve.

But British entry and the Kennedy round cannot be negotiated in tandem. The Kennedy round must be completed first, and the British bid is far too important to be put off indefinitely.

When I was in Europe, the Trade Negotiating Committee, which is responsible for overall direction of the Kennedy round, met and agreed upon a timetable for completing the Kennedy round before the expiration of the U.S. Trade Agreements Act. Our negotiators will make every effort to keep to this timetable.

Whether the authority of the Trade Expansion Act could be extended intact remains an open question. With little of a concrete nature to show for almost 5 years of working within the present authority, I do not believe we could expect automatic congressional acquiescence to an extension without change. I made that clear to delegates of other countries in Geneva.

But in fact, there is adequate time to complete the negotiations if the political will exists. If the will is gone, no amount of time will prove sufficient. The history of the negotiations to date makes this point abundantly clear.

But, indeed, a harsh timetable is perhaps necessary and useful. In their internal affairs, the Six of the EEC have repeatedly resorted to deadlines as the only effective means of forcing decisions.

Even when all the unresolved issues that must be dealt with in the months ahead are taken fully into account, time enough remains.

THE OUTSTANDING PROBLEMS

The toughest hurdle facing the Geneva negotiators is the necessity—constantly reiterated by our delegates—of including in the Kennedy round package provisions that will effectively promote expanding agricultural trade by protecting and improving access to markets around the world. The United States is particularly insistent the Common Market agree that the growth in its agricultural consumption be shared with outside suppliers and make concessions that will assure access to this vital market.

I must confess that the Community's domestic policy decisions for major agricultural commodities does not give cause for optimism regarding the agricultural negotiations in the Kennedy round. For most products the Community has adopted high price supports that will be protected by variable levies and in many cases minimum import prices which make third countries residual suppliers in the Community market. This is true for grains, meats, dairy products, sugar, and apparently many horticultural products. The result inevitably will be to stimulate Community production which will replace imports.

At this time, it appears unlikely that the Community is prepared to negotiate substantial reductions in its high level of agricultural protection in the Kennedy round. I understand its agricultural offers are still essentially in a form that would simply give international approval to its own protectionist system, without assuring genuine trade liberalization. Governor Herter recently characterized these offers as at first glance very restrictive.

The United States will have to take a hard look at its own generous agricultural offers if there is not substantial improvement in the agricultural offers of the Community and our other major negotiating partners.

Although negotiations on most agricultural items have only just become fully engaged, work on a possible international grains agreement has been underway for some time. The United States seeks, through such an agreement, reduction of barriers to its grain exports, equitable sharing among importers and exporters of the task of adjusting grain production to demand, and multilateral sharing of food aid. The GATT Cereals Group has held one meeting on new provisions in the EEC Commission's grains negotiations mandate. While the new proposals in their present form do not meet U.S. requirements, they do appear to recognize the need for these elements listed above to be dealt with in a grains arrangement. Considerably further work remains to be done before the outlines of a grains arrangement will emerge.

As indicated earlier, work in the industrial products phase of the negotiations is already in an advanced stage. Offers have been analyzed: extended bilateral and multilateral discussions have clarified participants' interests in each other's offers. The problem of disparities has been set aside, but can be expected to be reintroduced. Special groups of particularly interested countries have been attacking the difficult problems involved in trade in steel, aluminum, pulp and paper, chemicals and cotton textiles.

Accelerating activity in these sector discussions is essential in the early fall months. The sticking point in chemicals appears to be our American selling price customs evaluation system. As applied to certain chemicals, this system finds

vigorous objectors who say it discriminates against imports. Our negotiators have begun to explore on a preliminary basis—but short of making a formal offer—the possibility of making a conversion to the normal valuation system. They have emphasized, however, that any such conversion would require the other participants to make special counterconcessions and that it would, in any case, require congressional approval.

In steel and in aluminum, the Community offers so far elaborated do not appear to provide any effective reduction in present protection. In pulp and paper, the EEC has been trying to bargain for lower prices for Scandinavian pulp so that it can produce more competitive paper products. The United States, with rapidly growing paper products exports, has a vital interest in preventing any damaging two-way deal in this sector.

The focus of attention in the cotton textile sector is on the question of the extension of the long-term arrangement which has governed world trade in cotton textiles for the past 4 years. The United States, considering that the arrangement has brought order into the cotton textile trade, seeks its extension without modifications and has indicated its willingness to exchange tariff reductions and improved import allowances for such an extension. Active bilateral negotiations have been going on in preparation for the beginning of multilateral discussions in late September.

In the nontariff barrier area, the most active issue is a possible international code on antidumping regulations. A group to consider antidumping practices was established and an extensive exchange of views has taken place within the group regarding the antidumping provisions of the General Agreement on Tariffs and Trade—GATT—as well as the content and administration of national antidumping laws. Other countries in these discussions have criticized aspects of the U.S. antidumping law. The United States in turn has pointed to difficulties encountered by U.S. exporters in the aplication of foreign antidumping laws and has expressed concern that such laws will increasingly be used as unjustifiable barriers to trade. As a consequence of these discussions a general interest has been expressed in a possible international antidumping agreement. To date these discussions have been of an exploratory nature. As a guide to its possible participation in an effort to negotiate an international antidumping agreement, however, Governor Herter, the President's trade negotiator, held a hearing before the Trade Information Committee on September 12. This hearing provided a forum in which interested parties can present their views on antidumping so that those views may be taken into account if any international antidumping agreement is negotiated. These views are now under study by the committee.

Needless to say, if the negotiations take place and lead to an agreement that will require changes in U.S. law, the agreement would be submitted to the Congress for approval. In any event, congressional delegates to the negotiations will be kept fully informed on developments.

To meet the particular trade problems of the less developed countries, the developed countries are considering what items of particular importance to the LDC's can be eliminated from their exceptions lists; reduction by more than 50 percent on other items of interest; maximum reduction of tariff and nontariff barriers on tropical products, and other measures.

From this summary of work remaining to be done if the Geneva negotiations are to succeed, it becomes clear that our delegates have an extremely tough job in the months ahead. I am convinced, nevertheless, that both our people and the negotiators of the other countries can and will bring the Kennedy round to successful completion on schedule.

OUR NEGOTIATING TEAM

Our Geneva people are competent. They understand their jobs; they are sensitive to the relevance of every move they make to the concerns of American businessmen, farmers, and workers; they are devoted to the pursuit of the best interests of the United States.

More time and effort than ever before has gone into the calculation of the value and probable effect of the concessions we may make and receive. Our negotiators and their backup team in Washington have turned adversity to advantage by taking the time afforded by the recent slow pace of the talks to study in depth the trade significance of other countries' industrial and agricultural offers. For the first time in our trade negotiations, we have used computer analysis as a tool in this process.

The Washington organizations supporting the Geneva delegation has made a conscientious effort to seek expert guidance from business, labor, and farm leaders in the formulation of negotiating policy. The President has appointed a 45-member public advisory committee to Governor Herter. This group meets regularly with the Herter staff and many of its members have traveled to Geneva to take a firsthand look at the negotiations. A roster of 300 technical specialists has been named by Governor Herter as a constantly available source of advice and assistance on day-to-day technical problems.

Six Members of the Congress are regular congressional delegates. Almost all have been to Geneva for important meetings at least once, and all meet with Governor Herter from time to time.

Consideration of public views did not cease with the original hearings on proposed U.S. Kennedy round offers. The Trade Information Committee, chaired by a member of Governor Herter's staff and made up of officials of the Departments of Agriculture, Commerce, Defense, Interior, Labor, State, and Treasury, continues to accept from any interested party oral and written testimony concerning any matter relevant to the negotiations. This includes updating and revision of previous testimony, testimony from interests not previously heard and new information relating to foreign import restrictions.

Through these several means, our policymakers and negotiators keep abreast of pertinent developments across the whole spectrum of the American economy.

THE PRICE OF FAILURE

The future course of international commercial relations may well depend on the outcome of the Kennedy round.

If these negotiations are allowed to fail, a resurgence of protectionism and economic nationalism can be expected, both here and abroad.

Certainly, the further drift toward division of the trading world into regional blocs will be encouraged. In turn, the organization of markets along regional lines will have severe political as well as economic consequences.

There is the additional danger that failure in the Kennedy round would widen the commercial breach between the EEC and EFTA, tending to intensify the economic distortions created by two regional blocs on a single continent. Conversely, there is the possibility that an effort would be made to unite the two under the protection of the EEC external tariff near its present general level. While we favor United Kingdom entry into the Common Market, it is particularly important that this move take place after the external tariff has been lowered in the Kennedy round.

To the developing countries of the world a breakdown of the negotiations will cause a disillusionment that will surely lead them to try alternative trading schemes likely to be disruptive to world trading order and, in fact, harmful to their own development.

Finally, the breakdown of effort to deal with international trade through multilateral negotiation could endanger the effectiveness of the GATT itself. The general agreement, while certainly neither perfect nor always honored by its signatories, is, nevertheless, unique among international instruments in the degree of discipline it has introduced into world trade.

Therefore, as President Johnson told the Congress in his economic message in January:

> This great venture in international cooperation must not fail.

In the early months of this year, when the European Economic Community was in disarray and the Geneva negotiations were in stalemate, there were portents of failure. Recent developments have, however, revived among the Kennedy round participants a spirit of optimism and have strengthened the will to achieve a Geneva agreement that, while falling short of our earlier hopes, promises major benefits for world trade.

For the United States, the strongest and most vigorous of the world's traders, the further expansion of international commerce is an objective worthy of our continued and most strenuous endeavor.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

A FIRST DUTY OF GOVERNMENT IS TO ENFORCE THE LAW

Mr. BYRD of West Virginia. Mr. President, a great English poet, Alexander Pope, once said, "Order is Heaven's first law." A few years later, an equally great English statesman and orator, Edmund Burke, said, "Good order is the foundation of all good things."

Order is a jewel, no more cherished in 18th-century England than it is to be treasured today. Nor was it more the aspiration of Englishmen two centuries ago than it is to be desired by Americans today.

Mr. President, I recently completed a visit to each of the 14 police precincts, the harbor precinct, the Women's Bureau, and the training facilities of the Metropolitan Police Department. I plan to visit offices and facilities of the other departments of the District of Columbia government.

These are routine visits, customarily made by me in preparation for hearings on the bill making appropriations for the District of Columbia.

Today, I wish to address the Senate regarding my visit on September 1 to the 11th and the 14th police precincts. I also wish to allude to certain newspaper editorials and to the general crime situation in the Nation's Capital.

Senators will recall that, on August 15, when trouble erupted in the 11th precinct, "police moved in to snuff it out, and citizens later charged police with brutality, discrimination, and general mishandling of the situation"—Washington Post, September 3.

A week later, on the night of August 22, "violence erupted in the area of Eastern and Kenilworth Avenues—the 14th precinct—as scores of Negro youths—threw rocks and bottles at passing motorists and District firemen"—Washington Star, August 23.

According to the Washington Post of August 24, unlike the 11th precinct disturbance, "there was no direct confrontation between police and residents" in the 14th precinct melee; Capt. Vernon H. Culpepper sealed off the area, and "ordered officers to stay in the background and telephoned civic, religious, recreation, housing and antipoverty leaders with requests that they talk with the youths and try to disperse them."

According to press reports, while the police stayed in the background the adults scattered through the area, talking to the rockthrowers and urging them to return to their homes. According to the Daily News of August 23, the Post of August 24, and the Star of August 25, no arrests were made. As a matter of fact, Mr. President, although the Kenilworth violence erupted exactly 1 month ago today, I was advised this morning by Chief Layton that no arrests have yet been made. This notwithstanding the fact that Capt. Vernon H. Culpepper was quoted by the Washington Post on August 25 as stating that, with regard to the participants in the 14th precinct fracas, "We know who those fellows were and we're going to get them." If Captain Culpepper was correctly quoted, the public will expect him to keep his promise. Curiously enough, in all too many instances of late, involving violence, rockthrowing by rowdies, and attacks upon police by disorderly mobs, no arrests are made.

During my visit to No. 11 precinct, there was no discussion of the August 15 fracas, inasmuch as a citizens' committee had been appointed by Commissioner Tobriner to make an investigation thereof. I talked with Capt. Owen W. Davis, temporarily stationed there to relieve Capt. Robert A. Richmond who is on sick leave, and among the things we discussed was a matter which had been brought to my attention by 12 District of Columbia policemen who had visited my office on August 29. The 12 policemen had complained that in assignments to police cars, on the evening before, they had been discriminated against because they were white officers.

My discussion of the matter with Captain Davis was very cordial from beginning to end, and there was no disagreement whatsoever between us. I am sure Captain Davis, and others of the 11th precinct who were present, can verify this. Upon leaving, I asked Captain Davis to stop by my office sometime if the opportunity ever presented itself. I repeat that my conversation with Captain Davis of the 11th precinct was very friendly and cordial, and I reiterate this because editorials in the Washington Post and the Washington Star have pointedly, but quite inaccurately, referred to that visit as being anything but cordial.

Reporters from the Star were present throughout the entire time I was in the office of Captain Davis.

I then went to the 14th precinct, and, after touring the station house in the company of Captain Culpepper, I inquired about the Kenilworth disturbance. The captain made a few comments in regard thereto and stated that the participants were, in the main, teenagers, but that some were "young adults." I then stated that, to my recollection, the newspapers had indicated there was no confrontation between the police and the rockthrowers, that he had kept his men out of the immediate area, but instead, he had requested civilians to go in and quell the disturbance. I asked if the press accounts were true, to which he responded in the affirmative, whereupon I asked why the policemen were ordered to stay out of sight when civilians were asked to risk their lives in restoring order. This was a perfectly reasonable, logical, pertinent, and appropriate question which I, as chairman of the Appropriations Subcommittee on the District of Columbia, had a right to ask. The captain answered by saying he had gone into the area, and, having done so, had decided not to send in his men. I again asked why. His response was only that he "would not shoot a 14- or 15-year-old boy." I reminded him of his previous statement that "young adults" had participated, but his only reaction was that the decision not to use his police officers was his decision, he thought it was the right decision, and he "would not shoot a stupid 16-year-old boy." He would not explain the facts or reasoning behind his decision, nor did he reveal the relevancy of "shooting a 14- or 15- or 16-year-old boy" to my question regarding failure to use police officers to put down violence and arrest the offenders to whom he himself has referred as "hoodlums" and who were responsible for what he himself has called a "major public disturbance."

I expressed then, and I reiterate now, my strong feeling that the police should have been sent in to restore the peace, make arrests, and give protection to law-abiding residents, defenseless motorists, and to firemen who went into the area in response to false fire alarm calls.

Mr. President, I suppose it is not entirely beyond the realm of speculative possibility that, in a given riotous situation, circumstances could be such that a decision to withhold police action might somehow be justified, but, unless a more complete, more relevant, more justifiable explanation can be given than that which was advanced by the 14th precinct captain, it will remain inconceivable to me that policemen should be prevented, by their superiors, from doing their duty to enforce the law and restore peace and tranquility in an area where violence has erupted.

The issue is not whether the captain would or would not shoot a 14-year-old boy. This may or may not be a plausible position for the captain to maintain, depending upon the circumstances in a given situation. In any event, teenagers are taken into custody every day in this city and elsewhere without being shot. Teenagers do not have a license to destroy property, assault pedestrians, throw stones at passing motorists, and terrorize an area of the city. The basic question is why were policemen at No. 14 kept by their captain from going into an area where passing motorists were being assaulted, firemen answering false alarm calls were being attacked, and the lives of law-abiding citizens were being endangered. The captain offered the explanation that it was "useless to send policemen in chasing speedy, fleet-footed youngsters at 1 a.m., when they can neither be caught nor positively identified as having thrown missiles."

If police cannot identify fleet-footed youngsters, then how can the civic leaders and antipoverty workers who were called in do so?

How can police identify the offenders if police are ordered to stay out of sight?

Is the captain's statement to be accepted as meaning that 1 a.m., is a "blind spot" in this city's police protection, and that speedy, fleet-footed youngsters will hereafter be free to commit acts of violence at such an hour because "it would be useless to send policemen in chasing them"?

As chairman of the Senate Appropriations Subcommittee on the District of Columbia, and as a concerned citizen who is appalled at the growing breakdown of law and order, I am disturbed when I read that a police captain orders his men to stay in the background

and requests civilians to perform the task of restoring peace in an area where violence is occurring. I am even more disturbed to have noted in the August 23 Washington Star that "such an outbreak" had been "anticipated" by 14th precinct police who "long ago planned to use adult leaders rather than police to put down the disturbance, according to Captain Culpepper." So, in the light of the Star report, the captain's statement to me that he "would not shoot a stupid 16-year-old boy" as a reason for sending in civic leaders instead of police, at least appears to have been an evasion, because it had all been "long ago planned" that way.

Here was a situation wherein, according to the press, nearly 200 Negro youngsters were involved in a 4-hour disturbance from 10:30 p.m., on August 22 to 2:30 a.m., on August 23. In reality, the police had received radio runs as early as 8:34 p.m., for "disorderly boys," and at 9:04 p.m., and again at 9:42 p.m., scout cars were dispatched to the same general area to investigate complaints of a similar nature. At 9:43 p.m., the police responded to a false fire box at 45th and Quarles Streets NE., at which time a large group of teenagers were seen roaming the area and throwing objects. The Star of August 23 quoted Captain Culpepper as saying rocks and debris were thrown indiscriminately "at almost anyone and everyone who happened to be in the area." Several trash fires were started, and bands of youths milled about "throwing everything they could get their hands on."

Passing automobiles were stoned, and District Fire Department trucks were pelted when they responded to two false fire alarm boxes in the Kenilworth Courts public housing development. Reports were received that "Molotov cocktails" were being thrown into the roadway. Reliable information has been received by the police that the participants in the disturbance not only had Molotov cocktails, but also had knives and guns in their possession.

The 14th precinct received numerous calls from motorists and residents of the Kenilworth area to the effects that objects were being thrown at passing pedestrians and autos and that the contents of sidewalk trash receptacles were being ignited and thrown onto Kenilworth Avenue. One Negro motorist, whose windshield was broken by a thrown object, was attacked by more than a dozen Negro youths when he went to a telephone booth to call the police. He was hit on the head with a baseball bat by one of the young hoodlums, and was later treated at District of Columbia General Hospital for minor head injuries. Here was a Negro motorist who wanted and needed and deserved police protection. Did he get it? No. Why not?

The Washington press has had much to say of late regarding "the relationship of police to residents" of the 14th precinct, and that relationship has been labeled as "the finest in the city." The Post of September 3 stated that "the 14th precinct, almost totally Negro, has long been considered the city's model in community relations." If we are to believe that the relationship between citizens and police was so fine, why then, did the rock throwers have, as "one of their purposes," the "drawing of policemen to Kenilworth Courts for a clash," as one youth was quoted by the press? Then, too, if police and citizen relationships were so fine, why did the precinct captain not send in his men? Surely they would have received cooperation and would have been treated with respect by those with whom they enjoyed such fine relations. Perhaps the way to promote such continued good relations is simply to keep the police in the background and let them make no arrests when trouble erupts and crimes are committed. Good community relations are, indeed, an important factor in the equation of law enforcement. But are we to believe that the promotion of good community relations is the primary purpose for the existence of police departments? No. The first and fundamental duty of the police is to maintain order, enforce the laws, arrest lawbreakers, and protect the citizenry against those who would disturb the peace.

The citizens who finally brought the situation under control, at the request of Captain Culpepper, are to be complimented, of course, but they are not employed to put down violence and risk their lives while doing so. Suppose one or more of those citizens had been killed while trying to restore order? Why do we have policemen if they are not to act when violence erupts in an area of the city? The responsibility of the Police Department, as I have said, is to maintain peace and good order, arrest lawbreakers, and protect defenseless law-abiding citizens. Yet, the police cannot fulfill this responsibility if they are ordered by a superior to stay in the background.

The question arises, What area of the Nation's Capital will be next? There are other questions, too. Whose windshield will the next brick come sailing through? Who will be the next motorist to be assaulted by a dozen roughnecks shouting obscenities and wielding ball bats ?

Will the police be around to restore order, arrest the profane rock throwers, and protect residents and motorists, firemen, and ambulance drivers from hoodlums, or will the police be ordered to stay in the background while civic leaders and antipoverty workers are called in to do the job?

The public has a right to know the answers to such questions, because it is the public welfare which is endangered by these eruptions of violence in the streets of this city and other cities.

The public has a right to know whether it is going to be given police protection in return for its tax dollars that are paid to maintain police departments. This is the basic issue. Is the public going to be protected?

The important question is not, as some segments of the Washington press have sought to define it, whether a Senator has a right to criticize a police captain for being apparently derelict in his duty. The question is whether the law-abiding citizens of the city are going to be given the police protection to which they are entitled when they need it or whether, conversely, they are going to be left defenseless in their homes, in their places of business, on the streets, and on the highways.

This was the basic question which motivated my interrogation of the 14th precinct captain, and it is one which citizens would do well to ponder. For, if defenseless citizens are to be denied police protection, if citizens are to be placed at the mercy of bottle-throwing toughs and brick-throwing hoodlums, how long will it be until all peace-loving citizens start arming themselves? If they can't get protection one way, they will get it another, and every man will eventually become a law unto himself. Disorder will then be compounded.

The Washington Star, a normally reliable and responsible newspaper, ran an editorial on September 6, referring to me as having made "intemperate, abusive visits to the troubled 11th and 14th police precincts," and stating that I had stormed into the station houses and had "sharply condemned the precinct commanders' judgment in their handling of recent disorders," all of which, according to the editorial, "was grossly unfair to the men concerned."

Yet, the fact is, as I have already stated, my meeting with the 11th precinct captain was cordial and friendly, and I voiced no condemnation of him in the handling of recent disorders in the precinct. For one thing, the disturbances in No. 11 were not even discussed by us, and moreover, they erupted prior to Captain Davis' being sent to that precinct. Star reporters heard my entire conversation with Captain Davis, and there is no reason why my visit to No. 11 precinct should have been so inaccurately described.

The Star also voiced the opinion that the forthcoming budget hearings "are the proper forum" for my attention to police matters. No one has been more thorough than I in conducting hearings on the Police Department's appropriation requests and the requests of other departments of the District of Columbia government, but I also consider it helpful and important, in discharging my duties as chairman, to visit and talk with the departmental people who never get a chance to appear in the forum of formal budget hearings. Over the years, I have found that such on-site visits are beneficial and they help me to better understand the problems and needs of the city. So, while the hearings are, indeed, a "proper forum for—my—attention," I have never felt that they should constitute one's sole source of information.

The Washington Post, in a September 3 editorial, entitled "Playing With Dynamite," made reference to my "interference in the operations of the Washington Police Department" and went on to aver that I had "engaged in nothing less than the encouragement of mutiny and the incitement of violence." The words "incitement of violence" are strange words from a newspaper which consistently champions the civil and constitutional rights of chronic criminals and ragtag beatniks, and they might more appropriately have been applied to those mili-

tants who talk of setting fire to District of Columbia business establishments, the owners of which oppose home rule or to the hoodlums who descended upon the 10th precinct police station last September threatening to hang the policemen who had taken four juveniles into custody for playing football in an alley.

As to "interference in the operations of the Washington Police Department," this is a charge which can better be laid, by the Post, the doorstep of some of the self-appointed civil rights militants and so-called antipoverty workers in certain areas of this city. It is they who have exhorted people to take direct action. It is they who have organized demonstrations at some of the police precinct station houses.

I do not join the unruly mobs that gather on street corners to interfere with a police officer who is doing his duty. I am not among those who descend upon station houses to demand the release of lawbreakers who assault police officers.

As to "interference in the operations of the Police Department," I seldom have any contact whatsoever with the District Building, with Chief Layton or any of his subordinates, except when budget hearings are approaching, and these men will, I am sure, be glad to verify this. And as to Mr. Horsky at the White House, and any possible "interference" via his office, I am not conscious that he is even on the payroll except when I occasionally read in the press that he has attended some meeting with civil rights functionaries, et cetera.

The Post editorial went on to score the 12 police officers who recently visited my office to complain that they were being discriminated against because they were white. Their conduct, "in appealing to a Senator over the head of their commanding officer," was, according to the Post, "reprehensible," as was mine "in taking up the cudgels" in their behalf.

> The policemen ought to be cashiered, or at the very least sent to the boondocks—

Said the Post editorial, which went on to say—

> Unhappily, the Senator cannot be dealt with in the same way.

Happily, Mr. President, there are some individuals in public life who are not intimidated by unfair and snide editorials and who wear no man's collar but their own. Just as importantly, while there are proper channels through which policemen should appropriately make known their complaints, we still live in a Republic which assures those same policemen that they have a right to bring their complaints to the attention of a Senator or any other public official if they wish so to do.

The Post editorial deplores "Senator BYRD'S brand of harshness"; yet, it evinces a peculiar brand of harshness all its own when it suggested that the 12 policemen be "cashiered" or "boondocked." And for doing what? For exercising their constitutional right of petition, of all things. How could a newspaper which is a recognized and zealous champion of first amendment rights of lawbreakers suggest the denial of the first amendment rights to men who are sworn to uphold the law?

Perhaps the Post editorial writer is not familiar with chapter 12, section 652(d), title 5, United States Code, which says:

> The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress, or to any committee or member thereof, shall not be denied or interfered with.

District of Columbia policemen, of course, are not employed in the civil service of the United States, but their status, with regard to petitioning Congress, or any Member thereof, is not unlike that of Federal civil servants. And just to "make the cheese more binding," as the old saying goes, these District of Columbia policemen, who, according to the sage writer of the Post editorial, should be "cashiered" for having had the temerity to set foot in a Senator's office, are employees of a city over which, by our Constitution, Congress "shall have power to exercise exclusive legislation in all cases whatsoever." Is the office of a Member of Congress, then, to be declared off limits for District policemen?

The policemen came to my office unannounced and uninvited. But they came seeking to talk with me, and, knowing, as I do, the problems that confront policemen almost everywhere and particularly in this city, and, respecting, as I do, the men who lay their lives on the line daily for all of us, I agreed to see them.

They stated their case. I told them I would lay their complaint before their superiors for their consideration and attention, and the group went away. I have kept my promise to them.

I do not encourage policemen to go over the heads of their superiors. In fact, I recommend that they proceed through channels, after which, if grievances are not justly dealt with, other steps may then be taken. But simply because there are certain superiors to whom a policeman should first go, in the protection of his job and seniority rights, this does not make that policeman a fitting candidate for punishment if he chooses to exercise his rights assured to him by the Constitution. And should he be punished for so doing, many and strong will be the advocates who will rise in his defense, let there be no doubt about that.

Suppose 12 policemen were to be cashiered, in line with the Post's suggestion. From where, and how, will a department which has never been able to meet its fully authorized strength of 3,100 men, be able to replace the 12 and others who would follow? A police department which had 227 vacancies at the end of August can ill afford to lose 12 more men.

This attrition was lamentably recognized, although belatedly, by none other than the Post in an editorial on September 9—an editorial which was no doubt precipitated, to some degree at least, by the surprise visit of threescore and ten police wives to the Post on the preceding day in protest against the "unfair and biased editorial" "Playing With Dynamite." Overnight the Post became the stanch defender of brutal policemen who must often face danger, and even death, "in protecting their fellow citizens from crime and from mob madness." Strangely enough, my criticism of the 14th precinct captain was precisely for his failure to allow police officers to protect "their fellow citizens from crime and from mob madness."

Mr. President, the truth of the matter is that the police of this city generally feel that they have not had proper support from the press, from the public, and, in some instances, from their superiors.

All too many times the police have been depicted as brutes, but seldom does the press relate the abuse to which the police are subjected by the very people who are always yelling police brutality. Let a policeman place under arrest one of the young toughs in certain areas of this city, and the individual arrested will often yell "police brutality," whereupon a threatening, taunting mob immediately gathers, seemingly out of nowhere, and the policeman is hard put not only to maintain his arrest but also to escape without harm to himself. If he himself is not physically attacked by the mob, as so often happens, he at least finds himself the object of the most scurrilous abuse from loud-mouthed, profane rowdies, and he can be sure that he will have to write detailed reports and be prepared to defend himself against charges of police brutality.

Not infrequently the policeman is set upon by these howling mobs, knocked to the ground, kicked and beaten, and sent to the hospital. Yet, he, the policeman, is exhorted by editorial writers, by the social planners, and by militant civil rights and antipoverty spokesmen to go out of his way, so to speak, to promote "better understanding" in the community." Always it is the policeman who is the culprit. It is he who must take lessons in human relations. If there are community tensions, the police are to blame and only the police can act to relax those tensions. Seldom is any responsibility to be placed upon the rock throwers, or upon those who hurl the vilest of obscenities at law enforcement officers. There is little suggestion that good community relations must be a two-way street.

Oh, no. Heaven forbid. It is the harried, underpaid, pilloried police officer who must do all the bending. But the young savages who carry razors and switch-blade knives, and who hurl bricks at policemen as readily as they hurl curse words—they are to be excused because they are the products of poverty. An affluent and callous society is to blame, because it has failed them and passed them by. They are the pitied objects of the mushiest of maudlin sentimentalism while the friendless policeman is the target of obloquy and calumny.

Almost daily we hear new ideas voiced as to how the police should conduct themselves so as to win the respect of citizens. They should attend block parties, play ball, and the Lord only knows what they will be asked to do next in order to get along with the young militants.

Mr. President, the place to teach respect for the police is in the home. The police, of course, have to conduct themselves in such a way as to earn the respect of citizens, but the police should not be made to bear the whole burden. Parents, whether in the lower income levels or in the middle and upper levels, should teach their children to respect the policeman. Civil rights leaders should insist that the people, for whom they profess to speak, obey the laws and treat police officers with respect. The same message should be preached from the pulpits, and it should flow from the pens of editorial writers and from the lips of public officials until it is indelibly impressed upon all of the citizens, not only in this community, but also throughout the land.

The law-abiding citizen need have no fear of police brutality. And, speaking of police brutality, the term nowadays goes beyond the use of physical force. A mere word from a policeman is often enough to set in motion unwarranted charges of police brutality. The truth of the matter is, Mr. President, there are just some people who want to be above the law. They simply resent anything or anyone who is symbolic of authority.

My study of the police problems of this city has shown me that the oft-reported charges of police brutality are usually phony and can seldom be substantiated. Yet, the police officer is constantly harassed by these spurious charges and, as a result, an inordinate amount of his time must be spent in filing detailed reports just in case the issue of brutality arises. The paperwork involved constitutes not only an expense but also a deprivation of police protection to the citizens inasmuch as the time spent in preparing lengthy written memorabilia could otherwise be spent by the policeman on the street. This is a matter of proper concern to every citizen, especially in view of the alarming increase in crime and the appalling decline in police clearances, or solution of crime.

While the number of reported serious crimes in the Nation's Capital increased from 31,094 in fiscal year 1964 to 37,136 in fiscal year 1966, the actual number of police clearances decreased from 12,859 to 10,984. In other words, whereas the police were able to identify the criminals and make arrests in 41 percent of the crimes in fiscal year 1964, the police clearance figure dropped to 29 percent in fiscal year 1966.

On last Tuesday, it was reported that the police clearance rate, in the District of Columbia, was down to 26.7 percent for the 12-month period ending with August 1966. It was also revealed that the number of crimes committed in August, in this city, represented a 134-percent increase over June 1957.

As I have already indicated, there is a widespread feeling among the police, and I have talked with literally scores of them privately, that they do not get proper backing from some of their supervisors. Many policemen feel that they do not receive the moral support they deserve from the District Building, and that too much influence is wielded by civil rights forces.

Of course, there is the additional matter of police salary increases. A pay increase is a necessity and will provide a real shot in the arm for the policemen. But a pay increase alone will not solve the growing morale problem and the concomitant problem of attrition in the Police Department.

The police must be given the strong moral support and backing which they deserve from superiors and from the people, the press, the District Building, the White House, and Congress, if the morale problem is ever going to be solved. And, in the final analysis, if such support is not given, it is the public which will suffer.

Moreover, the lawless elements and young hoodlums must be dealt with firmly, and, if violence erupts anywhere in the Nation's Capital, prompt action should be taken to effectively deal with it. There is no logical reason why law-abiding and peace-loving citizens in the community should ever be deprived of police protection and left to the mercy of howling, profane mobs of arsonists and rock throwers. We have a very capable Police Department, and there are additional well-trained and well-equipped personnel readily available for putting down any civil disturbance. If these forces are not equal to the task, Fort Myer, Fort Belvoir, Fort Meade, and Fort McNair are not far distant, so the seat of this great government of laws need not surrender, now or ever, to the forces of insurrection and rebellion against law and good order.

The time is at hand, in this country, for a cessation of the pampering by the press and by public figures to which the rebellious and lawless elements have become increasingly accustomed. Being poor is no justification for being disorderly, and the right of lawful petition is not a license to riot. Nor was the anti-poverty program meant to be a rehearsal for rebellion against constituted authority, and I am sure that it was never the intent of Congress for antipoverty moneys to be used in the employment of people to foment unrest and organize demonstrations against the police, such as we have seen occur in the 11th precinct as reported in the press, or, for that matter, against the Welfare Department or other Government departments or officials.

In my judgment, officials within the OEO and the UPO who are responsible for the proper administration of the antipoverty program should exert every conceivable effort to investigate the recent activities of persons connected with Southeast Neighborhood House whose salaries are being paid from antipoverty moneys and who, according to press reports, have helped to generate or have participated in recent disturbances in the area and demonstrations against the police.

Moreover, those who resort to violence should be punished instead of rewarded with Federal handouts of public moneys. After all, a criminal trespass is a violation of law, and assault and battery and the willful destruction of private and public property are crimes for the commission of which an individual should be punished regardless of his race or his economic status.

It has become quite commonplace to hear the most dire predictions that if a certain area is not given a swimming pool or some other recreational facility, violence will occur. Yet, it is not without some significance that three of the most recent outbreaks of public disorder in this city have occurred at a place or during an event intended to be recreational in nature. I refer to the November 22, 1962, District of Columbia Stadium riot, the August 5, 1965, carnival riot, and the Glen Echo Park riot of last Easter Monday.

Eighty-degree temperatures and the lack of a swimming pool in every other city block are nothing new, and there are millions of youngsters, Negro and white, who do not have the luxury of recreational facilities and whose parents have incomes well below the arbitrary poverty level established by the Federal Government, yet they do not resort to violence or the threat of violence. Perhaps it is appropriate to recall that millions of immigrants have come to this country, unable to speak and understand the English language, who have suffered discrimination and deprivation; yet, they have not taken to the streets, nor have they resorted to or threatened violence. Instead they have worked and conducted themselves in such a way as to earn the respect of everyone, and, in most instances, they have raised themselves by their own bootstraps to the point where they have provided well for their own families and have made valuable contributions to the community. The same can be said of many of our fine Negro citizens who have diligently and patiently toiled, who have succeeded in improving their own economic lot, and who have been a credit to their race.

It is a grave mistake to encourage any element, any group, or any race within our society, to believe that it can get what it wants simply by resorting to force and violence. It is a mistake to encourage any group or race to feel that, because of its race or its economic status, it is privileged to disturb the public peace or create public disorder. To accede to unreasonable demands only encourages new demands of greater unreasonableness.

It is a mistake to temporize with lawbreakers, and the failure to make arrests out of fear of retaliatory riots simply cannot be condoned. We just cannot afford to surrender to mob pressure or mob rule, whether the mob be black or white, and the sooner the press, the people, and public officials take a firm and uncompromising stand in support of the police and against further mollycoddling of troublemakers, the better it will be for the community and the country.

A first duty of every citizen is to obey the law, and a first duty of government is to enforce the law.

These principles were enunciated by Aristotle centuries ago. To quote from his Politics:

> In all well-organized governments there is nothing which should be more jealously maintained than the spirit of obedience to law, more especially in small matters. For lawlessness creeps in unperceived and at last

ruins the state, just as the constant repetition of small expense in time eats up a fortune.

There must be a genuine revival of respect in this country for the police and for orderly processes. There must be a reawakening of individual responsibility. There must be a growing impatience toward those who advocate public disorder, as well as toward those who, by word or by pen, promote sympathy for lawbreakers and encourage other people to think that because of their race or their economic status, they have a special mission or peculiar right to resort to direct action and violence. There must be an insistence upon respect for, as well as by, the police, and the duties of citizenship must be held to be as sacred as are the rights of the citizen.

Unless the growing trend toward lawlessness is checked, unless orderly processes take the place of growing disorder in the streets, unless men and races of men restrain their passions and substitute uninhibited reason for uncontrolled emotions, and unless people are made to understand that diligence and honest toil will receive their just rewards while force and violence cannot pay, then this Republic has entered into an eclipse out of which there can be no return to its former bright and scintillating glory.

Mr. President, I ask unanimous consent to have printed in the RECORD a number of items which I shall enumerate at this point:

The news story which appeared in the August 23 Washington Evening Star reporting on the 14th precinct violence.

A news story from the August 24 Washington Post regarding the outbreak of violence in the area of the 14 precinct.

An August 25 news story from the Washington Star concerning the 14th precinct fracas.

An August 23 news story from the Washington Daily News regarding the 14th precinct rampage.

A Post news story of August 25 quoting Capt. Vernon H. Culpepper as saying, with regard to participants in the 14th precinct rock-throwing fracas, "We know who those fellows were and we're going to get them."

The September 1 Washington Star account of my visit to the 11th and 14th police precincts.

An editorial, "Playing With Dynamite," from the September 3 edition of the Washington Post.

A Post news story of September 3, entitled "Layton Now Will Talk to Anacostia Probers."

An editorial titled "Order in the City" from the September 6 edition of the Evening Star.

A Post news story of September 8 concerning my continuing visits to police precincts.

A news story from the September 9 edition of the Washington Post concerning an "unannounced visit to the Washington Post" by 70 wives of policemen "to demand more support for their husbands."

A letter which was presented by 70 wives of District of Columbia policemen to the Washington Post criticizing the September 3 Post editorial, "Playing With Dynamite." The police wives' letter appeared in the September 9 edition of the Post.

A Post editorial, "For the Police," from the September 9 edition of that newspaper.

A Post editorial of September 9 titled "Exodus of Policemen."

An August 19 Washington Post news story which referred to "William Michaels, a Southeast House staffer, who organized an orderly demonstration around the police station," meaning the 11th precinct, and which also referred to "Walter Williams, a Barry Farm resident and member of Rebels With a Cause, an organization financed by the city's antipoverty agency."

An Evening Star story of August 30 which referred to William M. Michaels, a Southeast neighborhood worker who "drove two groups of youths to the station house," meaning the 11th precinct station house, "to stage a peaceful demonstration following the arrest of two persons."

A news story by Larry A. Still, Star staff writer, referring to William M. Michaels, a Southeast neighborhood house "community organizers," who "admitted he helped organize an antipolice demonstration and transported two carloads of pickets to the 11th precinct station."

A Star news story of September 3 which referred to "a United Planning Organization worker, who police described as a 'constant antipolice instigator.'"

A transcript of a recent telecast, "Dimension Washington," a presentation of WRC and WRC–TV News and Public Affairs, quoting Walter Williams, whose salary, according to the newscast, "is paid by the UPO, which is an arm of the Government's war on poverty," as saying that "antipoverty workers should be in on the action," referring to "demonstrations or in leading civil disobedience as a violation of laws." Mr. Williams was also quoted as saying "if there is not any disorder, you do not get no attention."

A letter addressed to me on August 31 by Commissioner Walter N. Tobriner, together with accompanying correspondence dated August 30, from James G. Banks, Executive Director, UPO, relative to Mr. Pharnal Longus, whose salary of $9,550 per year is paid by the Southeast House with funds provided by UPO under a grant from OEO, and also with reference to Mr. Phil Perkins, whose salary has been paid with funds provided the Southeast House by UPO under a grant from OEO. Mr. Perkins was recently dismissed from employment but has appealed this action.

A memorandum addressed to Chief James M. Powell, U.S. Capitol Police, by Lt. W. W. Kirby and Sgt. W. C. Hall, under date of August 11, with respect to a visit by Pharnal Longus, and other persons, to my office in the Old Senate Office Building.

A news story from the June 14 Evening Star reporting on the picketing of my home by relief clients, who had received instructions on their moves "by Phil Perkins, a neighborhood organizer for the United Planning Organization."

A news story from the August 27 Washington Star referring to the firing of Philip J. Perkins. Perkins was quoted therein as saying he was fired because of his "commitment to radical social change."

An August 16 Washington Post story concerning the recent Anacostia disturbance. The story stated that the original demonstration "apparently was organized by William Michaels, 24, a poverty program worker at Congress Heights Development Center, a UPO organization"—which—"provided the youths with signs and two cars."

An August 23 column by William Raspberry referring to Pharnal Longus, a "community organizer at Southeast House," as having encouraged certain members of the "Block Boys" to become involved in the 11th precinct "ruckus." The column also refers to "intimations by Commissioner John B. Duncan that Southeast House, one of the city's eight neighborhood antipoverty centers, might have had a role in fomenting" the outbreak.

Ralph Fertig, Director of Southeast House, according to the column, "insists on the value of having poor people take an active part in confrontations with authority."

A news story from the Washington Post of September 18 with reference to rock throwing at police scout cars in the 11th precinct on the evening of September 16. The story said that there were no arrests.

A table showing the number and category of part 1, offenses committed during fiscal years 1964, 1965, and 1966 in the District of Columbia.

Data as to the actual part 1 offenses and part 2 felonies cleared in the District of Columbia in fiscal years 1964, 1965, and 1966.

A table showing the crime clearance rates by month, in the District of Columbia, during calendar years 1960, 1961, 1962, 1963, 1964, 1965, and part of 1966.

A table showing the percentage of part 1 offenses cleared prior to the Mallory decision as well as after the Mallory decision, the time period being fiscal year 1952 through fiscal year 1966.

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

[From the Evening Star, Aug. 23, 1966]

YOUTHS STONE POLICE IN KENILWORTH STRIFE

(By Walter Gold)

Violence erupted in the area of Eastern and Kenilworth Avenue NE last night and early today as scores of Negro youths, many of them girls, threw rocks and bottles at passing motorists and District firemen.

One motorist was slightly injured during the 3-hour disturbance which, at its height, involved nearly 200 rock-throwing youngsters. Adult Negro leaders, hastily summoned by police, managed to disperse the youths as nearly 50 policemen from Washington and Maryland stood by.

In addition to stoning passing automobiles, the youngsters pelted several District Fire Department trucks when they responded to two false fire alarm boxes in the nearby Kenilworth Courts public housing development. None of the firemen was injured and no damage was reported to their equipment.

ORIGIN UNCERTAIN

What started the disturbance, the second in a week involving large groups of rock throwers, was not clear.

"All we know is that it was not a racial incident nor was it directed against the police," reported Capt. Vernon H. Culpepper, commanding officer of the 14th Precinct. Culpepper said rocks and debris were thrown indiscriminately "at almost anyone and everyone who happened to be in the area."

The precinct commander said there are three rumored reasons for the outbreak—an alleged "gang war," the shooting of a Kenilworth youth by a bus driver and dissatisfaction with recreation facilities in the area.

"Perhaps the best explanation we can give at this point," Culpepper said, "was that it was just a darn hot and muggy night, too hot to sleep, and the kids took to the streets without anything to do but get in trouble."

ADULTS PRAISED

The captain praised the adults who "stopped the kids cold" without police assistance. No arrests were made and property damage was described as "very light, mainly a few broken or cracked car windows."

Police officials and adult community leaders pieced together this account:

Throughout the evening, youths in small number dropped rocks and bottles on automobiles from atop the Eastern Avenue overpass at Kenilworth Avenue NE. Police were called to the intersection several times, as they are frequently during summer evenings, to disperse the youngsters.

DISTRICT OF COLUMBIA FIRE APPARATUS IS STONED BY YOUTHS

Then, at 10:27 p.m., a boy pulled the fire alarm box at 45th and Quarles Streets NE. Minutes later, firemen reported that they were being stoned by "lots of kids." Seeing no blaze, the firemen left quickly. Police drove in and the youths scattered.

By 11 o'clock the youngsters had reassembled three blocks away at the Eastern Avenue overpass. Trying to avoid a direct conflict with the teenagers, many of them young girls, police blocked off Eastern Avenue and both the north and southbound lanes of Kenilworth Avenue, depriving the youths of automobile targets.

CIVILIANS SUMMONED

It was at this point that police decided to "contain the disturbance" and wait for the arrival of adult civilians, who included ministers, civic leaders and Recreation Department roving leaders.

More than two dozen Washington policemen took up positions about a block from the intersection as an equal number of Prince Georges County and Maryland State officers did the same. Traffic was rerouted from some streets in the area for nearly two hours although Kenilworth Avenue was reopened shortly after midnight.

At the height of the disturbance, bands of youths milled about the intersection, "throwing everything they could get their hands on," one police official said. The youngsters also started several small trash fires, which eventually burned themselves out.

One motorist, whose windshield was broken by an object thrown in the 1500 block of Kenilworth Avenue NE, was attacked by more than a dozen youths when he got out to inspect the damage.

The driver, Lance Swain, 20, of the 4700 block Blaine Street NE, told police that one of the Negro youngsters hit him in the head with a baseball bat. Swain, who is also a Negro, was treated for minor head injuries at District General Hospital and later released.

Another driver, Howard V. Dove, 35, of the 2500 block Iverson Street SE, reported that his car was struck by several rocks as he drove on Eastern Avenue near Olive Street NE about midnight. Dove, who is the only white person reported attacked by the youths, said damage to his car was "minor."

"The kids didn't seem angry at anyone the whole time," commented Inspector Otto Fuss, ranking police official at the scene after 11 p.m. "The teenagers laughed and shouted a lot . . . there seemed to be as many girls involved as boys . . . there were broken bottles and rocks all over the streets."

Anticipating such an outbreak, 14th Precinct Police long ago planned to use adult leaders rather than police to put down the disturbance, according to Capt. Culpepper. Last night, the roving leaders from the Recreation Department and at least two officials of the National Capital Housing Authority were instrumental in dispersing the youths, Culpepper said.

Also at the scene were Mrs. Ruth Bates Harris, executive director of the Commissioners' Council on Human Relations, and Police Captains Owen W. Davis and Tilmon B. O'Bryant, both of whom were detailed only yesterday to the troubled 11th Police Precinct to give the Southeast area Negro police leadership.

NEW ALARM SOUNDED

Just as police and adult leaders thought they had the situation under control early today, the fire box at 45th and Quarles Streets NE was pulled again at 1:50 a.m. This time, only Engine Co. 27 responded to the box while other firemen were stopped by police several blocks away.

Some rocks were thrown at Engine Co. 27 before the firemen discovered that the alarm again was false. Throughout the night, small trash fires were started in the Kenilworth Courts development but all were extinguished by adults.

The disturbance never spilled over into Maryland. A meeting was to be held later today in Kenilworth Courts to discuss the incident.

Capt. Culpepper said he heard that members of the Decatur Street Gang from Northwest-Northeast Washington had come over to the Kenilworth area last night "to see some girls" and to back the Northeast group in a dispute with another nearby gang.

Another reason to which the outbreak was attributed was an incident late Saturday night in which a D.C. Transit bus driver shot and wounded a Kenilworth youth. The driver, Ivory M. Carey, 33, of the 200 block of 19th Street NE, said the youth threatened him.

The youth, Patrick Henry Davis, 20, of the 4400 block Ponds Street NE, was treated for a minor gunshot wound in his right hand at D.C. General Hospital and later released. Carey later was charged with assault with a dangerous weapon at the 14th precinct. Both are Negroes.

Carey's bond was set at $2,000 and his case continued to Sept. 12 when he appeared in General Sessions Court yesterday.

"And the third rumor was that they started throwing things to demonstrate their needs for more recreation facilities," Capt. Culpepper said.

[From the Washington Post, Aug. 24, 1966]

POLICE CURB OUTBREAK IN NORTHEAST—OFFICERS PRAISED FOR HANDLING OF TEEN-AGE CROWD

(By Claude Koprowski and Jesse W. Lewis Jr.)

The unrest that has been plaguing Anacostia spilled into Far Northeast in milder form Monday night, but this time police were being praised by community leaders for handling rock-throwing teenagers without provoking a major incident.

Fourteenth Precinct officers, commanded by Capt. Vernon H. Culpepper, quickly contained the outbreak in the Kenilworth area with the help of adult citizens Culpepper called to the scene.

Unlike the disturbance Aug. 15 in Southeast, when violence followed picketing at the Eleventh Precinct stationhouse by disgruntled youths, there was no direct confrontation between police and residents.

"I thought the police did an excellent job of handling the situation," said the Rev. Edward A. Hailes, executive director of the Washington NAACP and one of the adults asked to help quiet the crowd. "They had no dogs, they had no sticks, and the bulk of the officers were not visible."

There were nearly 200 teenagers involved in the Kenilworth rampage, throwing stones and bricks at motorists, setting small trash fires and sounding false fire alarms. The disturbance lasted from 10:30 p.m. Monday to 2:30 a. m. yesterday.

Culpepper quickly sealed off the area with his men and Tactical Squad reinforcements, detouring traffic to deprive the youths of their targets. He ordered officers to stay in the background and telephoned civic, religious, recreation, housing and antipoverty leaders with requests that they talk with the youths and try to disperse them.

The Negro teenagers, almost as many girls as boys, had gathered for a gang rumble with youths from Lincoln Heights.

Two of the boys involved told a reporter yesterday that the long-standing rivalry between tenagers in those neighborhoods was heightened Sunday night when a Lincoln Heights boy slapped a pregnant Kenilworth girl and attacked her boy friend. He threatened to return Monday with his friends.

"We were ready for them," one boy said, adding that about 100 youths from the Kenilworth project, joined by an equal number from the nearby Parkside project, had compiled an arsenal of bottles, stones and firebombs.

When the Lincoln Heights crowd didn't show up, he said, "we were ready to raise hell anyway."

One of their purposes, according to him, was to draw policemen to Kenilworth Courts for a clash.

According to police, after a flurry of minor incidents, in which small numbers of youths stoned automobiles from atop the Eastern Avenue overpass at Kenilworth Avenue ne., someone pulled a fire alarm at 45th and Quarles Streets ne. As firemen and policemen arrived, they were pelted by the growing throng.

Youths milled around the intersection, laughing, shouting and throwing almost anything they could pick up. All but one motorist whose car was hit were Negro.

One of them, Lance Swain, 20, of 4752 Blaine st. ne., was injured slightly when he stopped his convertible after a brick shattered the windshield.

"I went to a telephone booth to call police and then back to my car," Swain said. As he turned on the ignition, a group of shouting teenagers approached him "and I was so scared that my first instinct was to get out of there." When he leaned over to release the emergency brake, a youth hit him on the head with a baseball bat, he reported.

Meanwhile, Culpepper was gathering community leaders—and calling for Prince Georges County Police and Maryland State Police to take up positions on the District line—in case his strategy didn't work.

But it did.

"Our citizens were very responsive," Culpepper said.

In addition to Mr. Hailes, the adults who helped end the disturbance included Ruth Bates Harris, executive director of the Commissioners' Council on Human Relations (who earlier in the evening had attended a hearing on the Anacostia disturbance); Isabelle C. Davis, a community organizer for Far East Community Services; Edmund Gardner of the National Capital Housing Authority and his assistant, John Bailey.

Stan Anderson, a Roving Leader for the Recreation Department, turned out to help,

as did Willie Mack Jackson of 4326 Douglas st. ne., Raymond W. Branch, owner of the Bar 20 at 1509 Kenilworth ave. nw., and Levin J. Lucas, president of the Kenilworth Men's Club.

While the police stayed in the background, the adults scattered through the area, talking to the teenagers and urging them to return to their homes. No arrests were made.

By about 3 a.m., all was quiet in Kenilworth—a small triangular section of the city just south of the Anacostia River and north of Deanewood.

The post-mortem began at 11 a.m., when Culpepper met with several of his citizen helpers and Joe Cole, District Superintendent of Recreation, at Kenilworth Courts.

Why did the trouble begin there?

It was not racial, Culpepper said, nor was it directed against the police.

He suggested that perhaps the biggest contributing factor was the heat (85 degrees), the humidity (87 percent), and the fact that the youths live in hot, crowded public housing "where sometimes you have as many roaches as people in some of those places."

A reporter's conversations with youths in the area indicated that it was not racial.

However, although the Fourteenth Precinct has a history of good police-community relations, and while adults were praising Culpepper and his men for their "remarkable response" and "good judgment," several of the boys complained about the officers whom they know.

Lack of recreational facilities in Far Northeast—where one-third of Washington's public housing projects are concentrated—was believed to be a factor.

Cole said there is little the Recreation Department can do immediately to provide more services, noting, "We don't even have a budget for 1967. We are handcuffed."

He said the area's need for "an Olympic size swimming pool" is well known. The only pool in that general vicinity of the city is the one at Kelly-Miller Junior High School at 49th and Brook Streets ne.

Cole discouraged suggestions of a portable pool. "We've had nothing but problems with them," he said. "They're a slight relief, but they don't begin to solve the situation. We can only get about 40 kids in one at a time and the water depth is only 36 inches."

Poor living conditions was offered by one recreation leader as a possible cause of Monday night's outbreak. He said some youths are so hungry that it is not unusual for 18 and 19-year-olds to hang-around playgrounds to take advantage of the free lunch program that was intended for smaller children.

Another noted that impacting the area with public housing has produced a ghetto "where there are six or seven kids in the same house, many by different fathers, and they're competing for love." Many mothers can't handle the situation, he said.

[From the Evening Star, Aug. 25, 1966]

KENILWORTH FRACAS LAID TO ABORTIVE GANG FIGHT

(By Walter Gold)

A scheduled gang fight that failed to materialize set the stage for Monday night's indiscriminate rock throwing in the area of Kenilworth and Eastern Avenue NE, a Washington police official concluded last night.

The official, Capt. Vernon H. Culpepper, commander of the 14th Police Precinct, which includes the disturbance area, said the 3-hour outbreak came after a rival gang from the Lincoln Heights area of far Northeast "failed to show up" for a fight with the Kenilworth youths.

The threatened "invasion" caused the Kenilworth youngsters to gather a lot of rocks, bottles and debris for the gang fight, Capt. Culpepper said last night following a meeting with Kenilworth area residents.

"When the gang fight fell through, a small percentage of Kenilworth youths started throwing things at anyone who happened to be in their sights while the rest of the mob cheered them on," the precinct commander said.

MOTORIST INJURED

One passing motorist was slightly injured during the disturbance which, at its height, directly or indirectly involved nearly 200 Negro youngsters, many of them teen-age girls. Some debris also was thrown at District firemen who responded to two false fire alarms from boxes in the nearby Kenilworth Courts housing development. None of the missiles found its mark.

The youths were dispersed by adult Negro leaders as nearly 50 policemen from Washington and Maryland stood by, ready to move in if necessary. No arrests were made at the scene.

However, following last night's post-mortem of the disturbance, Capt. Culpepper told The Star that police now know the identities of the instigators of the outbreak and plan to make arrests. Most of the rock-throwers were juveniles but some were over 18 and will be prosecuted as adults, Culpepper said.

REPORT DISCOUNTED

Only a few of those involved are from neighborhoods outside the Kenilworth area, he said. He discounted earlier reports that the disturbance was touched off because a Kenilworth youth was shot by a bus driver or because the Kenilworth youngsters were dissatisfied with recreation facilities in their area.

Recreational needs were discussed, however, during the two-hour meeting last night at the Kenilworth Courts Community Building at 4500 Quarles St. NE, located near Monday night's disturbance.

Some of the 100 or more youths who attended the orderly session asked for a swimming pool in the Kenilworth area, some outdoor drinking fountains and a pool table for their community building. All of the requests will be taken under consideration, according to Recreation Department spokesmen who said they were in favor of the improvements.

PLEA MADE

The meeting also included a plea for youngsters to stop setting off fire alarms, starting trash fires and stoning firemen.

The "urgent request" came from Sgt. Burton W. Johnson, community relations officer of the District Fire Department, who said: "We are trying to serve the entire community, something we can't do properly if you or your friends tie us up with needless calls and then attack us when we come running," Johnson said.

[From the News, Aug. 23, 1966]

IN IMITATION OF SOUTHEAST: NE TEENS ON RAMPAGE

About 200 teen-agers in the Kenilworth area of northeast Washington hurled rocks at passing autos last night in imitation of youngsters who had caused a disturbance in the Anacostia area last week. They also turned in a false fire alarm and then stoned the fire engines that drove up.

The youngsters later told community leaders and police recreation facilities in their neighborhood were not adequate and that the rock throwing was to call attention to the fact that they wanted a swimming pool, the same as was promised to the Anacostia area after last week's disturbances.

Police said rock throwing was sporadic until 10:30 when someone turned in a false fire alarm at 44th and Quarles-st ne. The fire engines were pelted with stones, rocks and bottles by a large band of teen-agers, about half of them girls, setting the stage for other disturbances.

HELP

Police arrived to try to quell the disorder, but the youths broke up into smaller groups and roamed the area, hurling rocks at passing cars on Kenilworth-av.

"I was coming out from the Kenilworth-av underpass at Eastern-av when a brick came thru my front windshield. Thank God, I wasn't hit. I got out of the car with the idea of finding the guy who did it and I saw hundreds of kids—they were everywhere," said Lance Swain, 21, colored, of 4742 Blaine-st ne.

"I called police at a gas station. There was another guy there who said they had torn his car apart. I started back for my car—and I saw them coming for me. I ran and got in and started the engine. They swarmed around the car. 'What did you do in that phone booth,' one kid said. I didn't answer, I just stepped on it. One of them hit me with a bat just as I got moving."

Mr. Swain was treated in D.C. General Hospital for a cut on the head.

District police sent reinforcements and from across the nearby District line, Prince Georges police massed in case the trouble should spill over into Maryland.

But it never did. Confronted with about 40 or 50 District police, the youths retreated at the Kenilworth Courts housing project where John Gardiner, director of the housing project, was able to quiet them and talk to them about their grievances. No arrests were made.

[From the Washington Post, Aug. 25, 1966]

NORTHEAST HEARING NOTES COMMUNITY ILLS, PRIDE

(By Robert F. Greene)

Fierce displays of community pride alternated with strong recitals of neighborhood ills when Far Northeast residents met last night to discuss the reasons behind Monday night's outbreak of rock-throwing at Kenilworth and Eastern Avenues.

During the 4-hour disturbance, bands of teen-agers hurled bricks and stones at passing motorists and police, set trash fires and turned in false fire alarms. One motorist in a stopped car was struck with a baseball bat.

Last night about 130 persons, half of them teen-agers, crowded into a meeting room at Kenilworth Courts public housing project, near the scene of the incidents, to ask why the outbreak happened.

Police Capt. Vernon H. Culpepper, commander of the Fourteenth Precinct, said the Monday night rock-throwing was "not a demonstration." He denounced the participants as "cowards" and said, "We know who those fellows were and we're going to get them."

To several youthful questioners who cited instances of mistreatment by Fourteenth Precinct policemen, Culpepper said, "We know we're not perfect, but we're trying." He said his door is always open to anyone with a complaint about police misconduct.

The first question from a teen-ager at the meeting was, "When are we going to get a swimming pool?"

A lack of recreational facilities frequently has been cited as one of the major grievances in the area.

Bernard C. Chapman, a retired businessman and civic leader, responded, "I lived in this area 69 years. You don't get things overnight."

Joseph Cole, District Superintendent of Recreation, told the youngsters he sympathized with their wishes but, "It took us eight, nine years to get the Kelly-Miller pool," now the only pool in the vicinity and located at the Kelly-Miller Junior High School.

Michael Harris, a neighborhood teen-ager, drew loud applause when he disputed newspaper reports of hungry youths and poor living conditions in the Far Northeast. "This place is not so bad as they say it was," he said.

[From the Evening Star, Sept. 1, 1966]

SENATOR HITS POLICE ON KENILWORTH RIFT

(By Sheridan Fahnestock and Arthur Golden)

The chairman of the Senate District Appropriations subcommittee confronted the commander of the 14th Police Precinct today and assailed him for "bad judgment" in not sending policemen to quell a rock-throwing outbreak in the Kenilworth section two weeks ago.

"I'm going to find out why officers were not sent in," Sen. ROBERT C. BYRD, Democrat of West Virginia, told Capt. Vernon H. Culpepper, the precinct commander. "What's the function of police if not to protect the citizens?"

Culpepper, who won praise from civil rights groups by summoning adult Negro leaders to quell the disturbance, replied: "I used the judgment I thought best. I will not shoot a stupid 16-year-old boy."

BYRD, his voice rising and his face darkening, declared: "I want the law enforced." The senator earlier had toured the 11th Precinct in the troubled Anacostia area.

Speaking softly, Culpepper said that although his men have made no arrests yet in the outburst, "We're trying to make a fair determination of who is responsible."

Defending his actions during the disturbance, Culpepper said it was useless for policemen to chase speedy youngsters at 1 a.m. when the youths could not be caught or positively identified.

At this, BYRD snapped: "That's baloney. You can't catch anybody unless you go in after them."

After BYRD left, Culpepper was asked how many men he had on hand during the violence, when scores of Negro youths hurled rocks and bottles at motorists and firemen.

"There are a lot of things I feel like saying right now," Culpepper answered. "But all I will say right now is 'no comment.' "

The dramatic meeting between the senator and the captain occurred in the stark, stifling sergeant's room at the 14th Precinct, where BYRD had been driven by Inspector Jerry Wilson. Accompanying them was Harold E. Merrick, chief clerk of a Senate District subcommittee.

HELD EARLIER MEETING

BYRD earlier visited the troubled 11th Precinct and conferred with its commander, Capt. Owen Davis. The stationhouse was besieged by teen-aged rock-throwers Aug. 15 in an outbreak still being investigated by police and a civilian panel.

BYRD asked Davis whether the captain thought that policemen playing baseball with the precinct's youngsters could help reduce disturbances in the area. Such activities were endorsed Saturday by Commissioner Walter Tobriner, top police officials and Free D.C. leader Marion Barry.

"I question the good that it will do but in the situation over here we've got to try new things," Davis said. "I am a good soldier and will follow my superiors' wishes to the letter."

BYRD also mentioned complaints from white policemen that some of the precinct's Negro junior officers were being promoted to riding in squad cars while white policemen, with more seniority, were being shifted to walking a beat.

Davis said this was a temporary measure to improve law enforcement in the precinct in the wake of the disturbance.

Also at the 11th Precinct, BYRD questioned officers and men about morale. Three of the precinct's officers resigned recently, Davis said, and there are "three or four resignations in the making."

Despite the criticism leveled at both precincts, Davis and Culpepper praised BYRD as a "good friend" of the District police.

[From the Washington Post, Sept. 3, 1966]

PLAYING WITH DYNAMITE

Senator ROBERT BYRD undoubtedly has the power, although hardly the moral right, to play with dynamite in the explosive atmosphere of this city's current racial tension. But he ought to understand that his interference in the operations of the Washington police department present the gravest imaginable danger to human life and public order. He has been engaged in nothing less than the encouragement of mutiny and the incitement of violence.

Police Chief John Layton, however, has not the slightest vestige of a moral right to yield to Senator BYRD. The Senator's meddling, it is true, placed the Police Chief in a most awkward and difficult situation; no local official likes to antagonize the chairman of the Senate's Appropriations Subcommittee on the District of Columbia. But Chief Layton is not responsible to Senator BYRD; he is responsible to the Board of Commissioners and, in particular, to Commissioner Tobriner.

The Senator's conduct in taking up the cudgels for a dozen police officers, disgruntled because their assignments had been shifted, was as reprehensible as the conduct of the policemen themselves in appealing to a Senator over the head of their commanding officer. The policemen ought to be cashiered—or at the very least sent to the boondocks. Unhappily, the Senator cannot be dealt with in the same way.

In addition, Senator BYRD officiously went to two precinct police stations and subjected their commanding officers to a tongue-lashing. He is evidently of the opinion that the way to deal with the wretchedness and the grievances and the alienation of Americans who are poor is the way in which King George III and his colonial governors dealt with them 200 years ago.

We warmly applaud Chief Layton's decision to appear before the Citizens Committee on the 11th Precinct—whatever efforts Senator BYRD may have made to keep him away. The Chief's testimony is indispensable to the healing task the Committee has undertaken at Tobriner's request. The Committee is entitled to his full cooperation.

Senator BYRD's intervention compounds the damage done recently by the House District Committee in holding up a reorganization of the D.C. Police Force recommended by the District Crime Commission and by the International Association of Chiefs of Police. When the Crime Commission report was submitted to the President, he said that he wanted it to be put into effect within 90 days. There was ample reason for this urgency. The recommended reforms are directly related to the Police Department's effectiveness in dealing with the kind of racial disorder which has had nearly epidemic proportions in American cities this summer. Delay in this situation is reckless.

This is a difficult and delicate time in Washington's civic life. It is a time for display of the greatest possible patience, tolerance, compassion and understanding—and no time for Senator BYRD's brand of harshness and hatred. Commissioner Tobriner has given the Capital imaginative and forceful leadership in this situation. In the harassment he has experienced and must face from Capitol Hill, he needs and should receive direct and explicit support from the President. The people of Washington now need his help.

[From the Washington Post, Sept. 3, 1966]

LAYTON NOW WILL TALK TO ANACOSTIA PROBERS

(By Harrison Young)

Police Chief John B. Layton said yesterday he is "willing" to testify before the Citizens' Committee on the 11th Precinct.

In making his announcement—shortly after his regular Friday meeting with President of the Board of Commissioners Walter N. Tobriner—Layton prevented total collapse of the Committee's investigation of a rock-throwing incident in Anacostia on Aug. 15.

The Committee voted Thursday to discontinue public hearings until Layton or some other public official would appear.

But Layton avoided taking a position in the argument between 14th Precinct Capt. Vernon Culpepper and Sen. ROBERT BYRD (D-W. Va.) over Culpepper's handling of a rock-throwing incident in the Kenilworth area Aug. 23.

Layton said the "contention" between the Senator and the Captain is "unfortunate" and "regrettable."

Culpepper called on local adults to contain a crowd of rowdy teen-agers and kept policemen in the background. Community leaders praised Culpepper—both yesterday and the day after the incident—saying his strategy averted the violence on the Anacostia outbreak.

BYRD visited Culpepper in his precinct station Thursday and criticized him for condoning lawlessness by making no arrests.

Asked last night if he supported his captain's handling of the incident, Layton replied:

"No, I don't think it would be wise for me to comment."

Asked if this left Culpepper in an embarrassing situation, Layton said:

"What he did was a matter of judgment in the situation that he saw, but that judgment was his and I'm not going to criticize him. But under the circumstances I don't think I should say any more."

Layton said he had "had occasion to talk to Capt. Culpepper" since BYRD's visit, but would not say whether he had discussed the Senator's visit with him.

BYRD also visited the 11th Precinct Thursday, where he questioned acting Capt. Owen Davis about the recent reassignment of some of his men. Twelve of them called on the Senator Monday to complain that they were being bumped out of squad car duty to make room for Negro officers with less experience.

The move is temporary. It was ordered by Deputy Chief Howard F. Mowry, of the Police-Community Relations Unit, the day after the rock-throwing and before Davis, a Negro, took command of the precinct.

Capt. Culpepper won praise from community leaders immediately after the Kenilworth incident, and yesterday morning another group of 20 showed up at the precinct house to tell him to "stick to his guns," whatever Sen. BYRD has to say.

The Rev. Walter E. Fauntroy and half a dozen other representatives of the Coalition of Conscience were there. Mr. Fauntroy told Culpepper the Coalition voted at its regular meeting Thursday to visit him and "express our support for his philosophy of dealing with disorders."

Nathan Robin, president of the Far Northeast Business and Professional Association, arrived to say his group agreed Thursday night—after seeing accounts of BYRD's visit—to express their support of Culpepper's actions once again.

"I think the man's strategy was absolutely brilliant," he said. "I think the cooperation he got from the citizens in the area shows the respect that everyone feels for him."

Also present was a small complement of children. Marianne Hardy, 10, daughter of Willie Hardy, a community leader, said simply that she liked Capt. Culpepper because "he's nice."

What is he nice about?" she was asked.

"Everything" she replied. "We don't have much trouble in our area. The police are nice to us, and I guess he teaches them to be." The Hardy family lives at 5046 Benning rd. se., eight blocks from the precinct house.

Culpepper smiled as Fauntroy and 14th Precinct residents praised him. He said he was used to citizen support—that police always need citizen support—and thanked the group.

Afterwards, reporters crowded around him with questions. Culpepper said: "Gentlemen, I know you all have a job to do, but in the interests of all concerned, my answer will have to be no comment."

Later in the day, H. Carl Moultrie, president of the Washington NAACP, sent a telegram to Tobriner, calling on him "to back and support the action of Capt. Culpepper, despite the blastings of Sen. BYRD of West Virginia."

The 14th Precinct, almost totally Negro, has long been considered the city's model in community relations. Traditionally, the 14th's captains have been officers who have advanced later to roles as force-wide community relations officials, including Mowry and Inspector George E. Causey.

The precinct's doors are open to the community, and civic meetings often are held in the station house.

The 11th Precinct, just south of the 14th, has a different reputation. It is felt that their citizens have been at odds with the police.

On Aug. 15, when trouble erupted in the 11th Precinct, police moved in to snuff it out, and citizens later charged police with brutality, discrimination and general mishandling of the situation.

Eight nights later, an unruly crowd of youngsters started pelting cars with bricks in the Kenilworth area. Culpepper quickly sealed off the area with police and then called Ruth Bates Harris, head of the Commissioner's Council on Human Relations, who went into the area with other civilian leaders to squelch the trouble.

In announcing that he will testify before the Tobriner-appointed Committee on the Anacostia disturbance, Layton said there had been a "misunderstanding" between him and the co-chairmen.

Members of the Committee expected Layton to testify Thursday, but he said he had only promised to try to be there.

Layton said yesterday he would work out with the cochairmen whether he would testify in public or closed session. The Committee has its next executive session Tuesday.

Layton said his only stipulation would be that he not discuss anything that might be evidence in a pending court case, either against citizens or police.

[From the Washington (D.C.) Evening Star, Sept. 6, 1966]

ORDER IN THE CITY

Congress' right of inquiry into the affairs of this city is clear, and no member pursues this right more diligently than the chairman of the subcommittee on District appropriations, Senator ROBERT C. BYRD. His desire to see the Nation's Capital a city of law and order is one which every responsible citizen supports.

That desire was not advanced an iota, however, by the senator's intemperate, abusive visits the other day to the troubled 11th and 14th police precincts.

Storming into the station houses, he sharply condemned the precinct commanders' judgment in their handling of recent disorders. Faced with the badgering, the officers stood by and took it. They were in no position to do anything else. It was a sorry performance. And it was grossly unfair to the men concerned.

"I want the law enforced," snapped BYRD at one point. Well, no one wants that more than the police themselves. But a part of the job of getting the law enforced is to reduce community tensions and to evolve mutual feelings of understanding and respect between citizens and the police. There is a new, overdue awareness of this requirement within the police department. And this trend should be encouraged, not attacked. It is especially ironic that one of the subjects of the senator's antagonism was Capt. Vernon L. Culpepper, a white officer who has developed excellent relations with the residents of his virtually all-Negro precinct.

BYRD is widely known as a good friend of the police department, and The Star is in accord with many of the objectives he supports as to what constitutes good law enforcement.

It is no act of friendship, however, for a member of the Senate to impose a further strain on the morale of the police force by running around town yelling at policemen. In our opinion the police, working under the direction of the Commissioners, are doing an effective job. Where there have been deficiencies, improvements are being made.

During his subcommittee's hearings on the budget, BYRD can and no doubt will delve deeply into whatever elements of police organization and personnel policy are disturbing him. The hearings, however, are the proper forum for his attention.

[From the Washington (D.C.) Post, Sept. 8, 1966]

BYRD TOURS POLICE PRECINCTS AGAIN, SAYS HE SEEKS DATA FOR BUDGET STUDY

Sen. ROBERT C. BYRD (D-W. Va.) took his third tour of Washington police precincts yesterday to find out how the officers think the department should be operated. Afterwards, he said:

"I'm not trying to run the Police Department. I just want to know what the men need and what the Department needs so when the budget comes over from the House I'll have a better understanding of what the items are for."

BYRD, chairman of the Senate District Appropriations Subcommittee, opened the series of tours last week by criticizing 14th Precinct Capt. Vernon H. Culpepper for the way he handled a Sept. 2 disturbance. Citizens had applauded his handling of the incident.

[From the Washington (D.C.) Post, Sept. 9, 1966]

NEWS MEDIA NOT PRESENTING POLICE SIDE, 70 WIVES CHARGE

Wives of 70 Washington policemen made an unannounced visit to The Washington Post yesterday to demand more support for their husbands.

Declaring that "pride, dignity and morale" of the Metropolitan Police Department is being stripped away, the wives charged local newspapers and radio and television stations with "never presenting the police side and not understanding the police."

They singled out The Washington Post, where they assembled at 10 a.m., because of a Sept. 3 editorial criticizing Sen. ROBERT C. BYRD (D-W. Va.) for "meddling" in the affairs of the Police Department. The editorial also was critical of 12 policemen who complained directly to BYRD about administrative policies in the 11th Precinct.

The wives—and one policeman's mother—were met at The Washington Post Building by Ben W. Gilbert, deputy managing editor, and Merlo J. Pusey, associate editor, for a meeting in the newspaper's Community Room.

There, Mrs. Jack D. Parr, wife of a K–9 Corps private, read a formal statement criticizing the editorial and concluding: "We feel that you have done a disservice to Senator BYRD and the people of Washington with your unfair and biased editorial."

Pusey, representing the editorial page told the wives the purpose of the editorial was to protest BYRD's interference in police operations. He said Congress makes the laws but their administration is the responsibility of the District Commissioners.

Following the session, Mrs. Patrick M. Buckley, wife of another private and spokesman for the group, said the group had been given "a very honest reception" at the Washington Post.

She and Mrs. Parr described the purpose of the visit with this statement: "We are not here on police brutality or discrimination or anything like this. We're here so the public can be aware of what's going on and to give our husbands moral support."

Later, Mrs. Buckley told a newsman, "We'd say our complaint extends to all Washington news media."

Specifically, the wives complained that news media play up stories that result in demonstrators and lawbreakers being "pampered" but fail to give adequate attention to the problems and indignities suffered by Washington policemen.

"While those people are getting by with this, policemen are getting beaten and kicked," said Mrs. Buckley.

Mrs. Walter Watson, whose husband also is attached to the K–9 Corps, said, "How come nothing is printed about how bad our husbands are hurt? They always say how bad the Negroes are hurt."

There were no wives of Negro policemen present yesterday, but Mrs. Buckley said they had been contacted and some had planned to participate.

Thirty-eight of the wives went directly to Capitol Hill from The Washington Post.

They were unsuccessful there in seeking an audience with Sen. BYRD, whom they wished to thank for acting in behalf of their husbands, and with Sen. ALAN BIBLE (D-Nev.), from whom they seek help in guiding legislation through Congress granting pay raises for District policemen.

BYRD is chairman of the Senate's District appropriations subcommittee. BIBLE is chairman of the Senate District committee.

Mrs. Buckley said they also intend to take their complaints to the District Commissioners, probably next week "after we get ourselves organized."

[From the Washington (D.C.) Post, Sept. 9, 1966]

POLICE WIVES PROTEST

We criticize the editorial "Playing with Dynamite" in the Sept. 3 edition of The Washington Post, and wish to show our support of Sen. ROBERT BYRD of West Virginia.

The first paragraph deals with Senator BYRD's power and moral rights. You state he is playing with dynamite, when in reality he is demanding that laws be enforced to protect all citizens, "even" policemen. We feel he and every citizen has the moral right to demand that rioters throwing rocks, bricks, bottles and other dangerous articles at citizens and policemen should be arrested.

In your second paragraph you say Chief Layton is responsible to the D.C. Commissioners and especially Commissioner Tobriner. This is true of course, but is he not a policeman, in fact Chief of Police, in charge of the protection of life and property and for enforcement of the laws of the D.C.? Is it not true also that Chief Layton is responsible for the conduct, safety and welfare of the members of the Police Department?

Your third paragraph states the Senator takes up the cudgels of a dozen policemen, disgruntled because of assignment shifts. You feel these policemen should be punished for going over the head of their C.O. stating that they should be cashiered and/or sent to the boondocks. Unhappily (you say) the Senator cannot be dealt with in this manner. By the grace of God, there are still some that seek the truth without fear of repercussion. Did you check to see why these shifts were made? Did you see if any of the dozen policemen were disciplined?

Did you find out who ordered these shifts? The answer to all three questions is, naturally "of course not." Further, we would like to know where in the D.C. are the boondocks? Is it not true these dozen men who were shifted are experienced, white policemen, and shifted only because they are white? As for appealing to Senator BYRD, is it not true that any American citizen has the constitutional right to appeal to a Senator or Congressman when they have been wronged.

The fourth paragraph deals with Senator BYRD's tongue-lashing of the commanding officers and he is compared to King George III simply because he asked why the law was not enforced and lawbreakers arrested, so that decent citizens could use the public streets without fear of being stoned.

During the riot at Kenilworth Avenue and the D.C. line, the Prince Georges County and the Maryland State Police stood at the line with shotguns and K-9 dogs and because of this show of force the riot did not extend into Maryland. We feel the same show of force in D.C. would have ended this riot or disturbance as some organizations call it.

You state the people of Washington need help now and we could not agree more, but tying the hands of the police to the extent of ordering the police in No. 11 Precinct the day after the riot not to make any arrests for fear of upsetting the riotous citizens and thus depriving law-abiding citizens of Anacostia of full police protection, is not help.

In your conclusion you state Senator BYRD and the House District Committee have damaged the reorganization of the D.C. Police Force plan submitted to the President. Doesn't Congress have the right to examine, question and debate such a plan?

We feel the role of policemen during the present times is certainly depressing when he is criticized and even humiliated for doing his sworn obligation, which is the protection of life and property, prevention of crime and the apprehension of offenders. His only consolation is that there are some citizens, such as Senator BYRD, who will listen to legitimate complaints and try to find if they are legitimate.

We feel that you have done a disservice to Senator BYRD and the people of Washington with your unfair and biased editorial.

SEVENTY WIVES OF POLICEMEN.
WASHINGTON.

[From the Washington (D.C.) Post, Sept 9, 1966]

FOR THE POLICE

We understand—and warmly respect—the loyalty that prompted a group of wives, relatives and friends of District police officers to come to The Washington Post yesterday in protest against an editorial critical of Sen. ROBERT BYRD and of some policemen who had run to him over the heads of their superior officer. We are glad to publish elsewhere on this page today a letter from the group expressing disagreement with our editorial. We think, however, that the loyalty and the disagreement are somewhat misplaced. The editorial was essentially a defense of the integrity and independence of the Police Department.

When policemen go to a member of Congress in an effort to change policies or decisions of their commanding officers, they impair the independence and threaten the integrity of their department. That kind of political interference spells death for a career service. It is peculiarly dangerous in Washington because of the members of Congress, unlike the members of an elected municipal council or state legislature, are not subject to the suffrage of the people who live here. It would be hard to think of a stronger argument for home rule than the irresponsible and unwarranted intervention in the affairs of this community by a man chosen to represent people who live in West Virginia.

Senator ROBERT BYRD took it upon himself in a most high-handed way to rebuke two precinct captains for doing their duty as they saw it. In the face of a tense and difficult neighborhood situation, these captains chose a course of restraint, patience and reasonableness which produced order in place of the uncontrollable violence which has so often followed hardnose, knock-'em-down tactics in other places. We think these captains should have had the prompt backing of the Chief of Police.

This newspaper has frequently expressed its appreciation of the difficulties and dangers of police work. It has often defended the Police Department against reckless and undiscriminating charges of brutality. It has consistently sought better pay, better training, better equipment, better status for the men responsible for law enforcement here. It has felt the deepest sympathy and concern for the courageous men and for the wives of men, who must often face danger, and even death, in protecting their fellow-citizens from crime and from mob madness. It has always championed the independence of a police department under locally elected civilian control. It will continue to do so.

EXODUS OF POLICEMEN

Washington has reason for alarm in the attrition of its Police Department. Last month the force lost 17 privates with less than three years of experience, and the exodus this month appears to be increasing. Three new resignations were turned in Wednesday. Despite all Chief Layton can do to bring in more recruits, it is extremely difficult to maintain the force in good working order under these conditions.

Of course this is not a problem peculiar to Washington. The local force has 241 vacancies; Baltimore has 360. When representatives of the Washington police were trying to recruit men in the Appalachian coal mining area recently, they ran into heavy competition from Los Angeles. Nearly all of the police forces of the large American cities are operating under their authorized strength.

But this fact accentuates the problem instead of relieving it. With competition for recruits so keen, Washington must be in a position to make attractive offers to the limited number of men who are willing to undertake the arduous work of a policeman. At present it is not in such a position.

Ten of the 11 men who submitted resignations in the first few days of this month went to the Prince Georges County force. Prince Georges offers them a higher starting salary, and air-conditioned scout cars instead of foot-patrol duty. Good policemen are needed in the suburbs as well as in the District, but it doesn't make sense to have the Metropolitan Police drained of its manpower for want of adequate pay and good working conditions.

Much is being done by way of training potential policemen and by way of attracting high school graduates into the program. But these measures are defeated in part by the loss of young privates to other jobs. Only a substantial boost in police pay is likely to bring in the needed recruits and to hold them once they are on the force. This would seem to be an essential starting point for the program of better law enforcement in which the President is so much interested.

[From the Washington (D.C.) Post, Aug. 19, 1966]

ANACOSTIA YOUTH GET ROLE IN MELEE PROBE; AREA CENTER QUIZZED

(By Jesse W. Lewis, Jr., and Harrison Young)

District Commissioner Walter N. Tobriner yesterday gave the young people of Anacostia one of the things they wanted, a major voice in the committee that will try to determine why the police station there was stoned Monday night.

Walter Williams, 20, a Barry Farm resident and member of Rebels With A Cause, an organization financed by the city's anti-poverty agency, will come in on equal footing with the other two co-chairmen, banker Henry K. Willard II and Urban League chief Sterling Tucker.

Tobriner also announced the names of 36 persons appointed to serve on the committee with the three co-chairmen.

All in all, it was a big day for Anacostia, which suddenly found itself being treated by District officialdom as an important part of the city.

These were the major developments:

United Planning Organization (UPO) asked the Southeast Neighborhood House to report by next Friday on what part it may have played in last Monday's violence.

It was learned that at a meeting of Southeast House's staff yesterday, a decision was made to "de-emphasize direct action"—meaning presumably, demonstrations of the sort that preceded Monday night's disturbance.

The police—meeting with young people in Southeast— said they will chauffer teenagers around in three police cars this week-end to show them how police respond to trouble calls.

Tobriner said he expected a full report from police as to why dogs from a Maryland firm were used at the scene of the trouble Monday night.

Tobriner released the names of the committee members, but heard rumblings that Tucker and Willard were unwanted as co-chairmen.

Of all the day's developments, the UPO request that Southeast House investigate itself provided greatest interest. It was, perhaps, the closest UPO has ever come to critically questioning just what it is financing.

Frederick B. Lee, chairman of UPO's Board of Trustees, sent a letter to W. Crosby Roper Jr., president of the board of directors of the Washington Welfare Association, the unit that controls Southeast House.

Lee asked for three pieces of information:

"The extent and nature of the Association's staff involvement in the recent community crisis;

"The extent of the involvement of community residents associated with programs conducted by your Association;

"Your recommendations as to how programs operated by your Association with funds from UPO can be most effectively used to prevent future community disturbances of this type."

Roper said the information Lee wants will be delivered but he added he thinks that Southeast House people "did their very best to stop what was happening from developing into a very serious situation . . . that seemed to develop anyway, but it doesn't seem to have been their fault."

Some people—Commissioner John B. Duncan and police officials among them—have blamed Southeast House workers for the disturbance. It was William Michaels, a Southeast House staffer, who organized an orderly demonstration around the police station that preceded the ugly scene.

Tobriner's appointment of Williams was announced at a meeting conducted at Our Lady of Perpetual Help Church at 16th Street and Morris Road.

In that meeting were several police officials, about 75 young people from far Southeast and Ruth Bates Harris, executive director of the Human Relations Commission.

The young people were visibly pleased when Inspector George Causey said that the German shepherd dogs at Monday night's disturbance "had no business there and the policeman who asked them to stay was wrong." He promised that "disciplinary action will be taken." Many who witnessed the disturbance said the dogs aggravated the situation.

Then Mrs. Harris told the group of Williams' appointment and the youngsters burst into tumultuous applause. They had complained of having no say in the leadership of the committee.

The crowd was not so enthusiastic about Tucker as a leader. They wanted to ask Tobriner to replace him and it was only after an impassioned plea by Mrs. Harris that they refrained from formally making the request.

The meeting seemed to engender some rapport between the police and the youngsters. Officials gave much credit for the good atmosphere to the Rev. Peter Kenney, pastor of the church, who also provided a seemingly endless supply of hot dogs, macaroni salad and soft drinks to the nearly 100 persons there.

As for the coming weekend, Mrs. Harris, Capt. Tilmon O'Bryant and Lt. Emmet Sullivan will ride around in three police cars with interested teenagers in an effort to show them just how the police respond to calls for aid.

[From the Washington (D.C.) Evening Star, Aug. 3, 1966]

WITNESS BLAMES POLICE FOR ANACOSTIA OUTBREAK

(By Larry A. Still)

A Southeast neighborhood worker blamed police "mistakes" today for the Aug. 15 teenage disturbance outside the 11th Precinct headquarters.

The worker, William M. Michaels, was the first witness as the commissioners' committee investigating the outbreak resumed hearings at the District Building. Twenty-four of the committee's 49 members were present.

Michaels, a community organization specialist for the Congress Heights Neighborhood Development program, gave an 18-page account of the events leading up to the rock-throwing melee.

Michaels told the committee the incident was precipitated by nine errors by the police department—including mistakes, he said, by the Community Relations Unit, with which he was cooperating.

Michaels said he drove two groups of youths to the station house to stage a peaceful demonstration following the arrest of two persons attending a neighborhood development meeting at 4200 Wheeler Road SE.

The youths continued picketing, Michaels said, until they were chased away by police with two police dogs.

"Immediately after the charge by the police and the dogs, a number of the youths began to light firecrackers. Some of these were tossed under cars and buses passing down Morris Road. It sounded like the Fourth of July," Michaels declared.

The community organizer said he located Lt. Emmet Sullivan, of the Community Relations Unit, and told him, "The police have done a very stupid thing."

Michaels said he then drove one group of teen-agers back to Congress Heights and returned to Southeast Neighborhood House for a second group.

He said he did not witness the alleged police attack on the youths in front of the settlement house.

POLICE CHIEF TO TESTIFY ON ANACOSTIA OUTBREAK

(By Larry A. Still)

Police Chief John B. Layton will appear before the Commissioner's committee investigating the Anacostia outbreak at the 11th Precinct police station when public hearings continue tomorrow.

The committee, appointed by Commissioner Walter Tobriner, went into executive session today to evaluate testimony received from eyewitnesses William M. Michaels and Elizabeth Dudley as the second week of hearings opened.

Michaels, a Southeast Neighborhood House "community organizer," admitted he helped organize an anti-police demonstration and transported two carloads of pickets to the 11th Precinct station at 2301 Nichols Ave., SE. However, he attributed the outbreak to "nine errors" by police.

Miss Dudley, 14, said she saw police beating persons near Southeast House, 2283 Mt. View Place SE, a block and a half from the station but she could not describe how the melee began.

Chief Layton said he "would make every effort to be available to the committee" on Thursday, Co-Chairman Sterling Tucker told members.

He is expected to discuss official police reports of the demonstration, which developed into a rock-throwing outbreak resulting in injuries to five persons and the arrest of 13.

Other major developments as the controversial probe continued before 25 members of the 49-member committee included:

1. Commissioner Tobriner said he would consider asking 11th precinct police to testify under new guidelines set up by the committee. James Kunen, committee counsel, announced that no witnesses would be required to give the names of persons involved in what they described.

Kunen indicated the guidelines were worked out with Julian Dugar, director of Neighborhood Legal Services, who had objected to witnesses testifying because they may jeopardize defendants in the case.

Bernard Margolius, counsel for the Metropolitan Policemen's Association, has also objected to police testifying.

2. Tobriner disclosed that William Calomiris, president-elect of the Metropolitan Washington Board of Trade, also has resigned from the investigating group because he is "too busy."

Calomiris, a real estate dealer, never attended a meeting of the committee. The commissioner said the committee had reported it was going to drop members not attending.

3. Lillian Wright, a leader of the Barry Farms public housing development tenant council, also quit the committee in order to testify on what she observed during the incident.

4. Tobriner confirmed that he had asked the United Planning Organization to investigate the reported "intimidation" of committee member Calvin Rolark, president of the Washington Highlands Civic Association in Anacostia, by Southeast House officials.

Rolark told the commissioners that the Rev. James E. Coates, assistant director of Southeast House, had written letters to advertisers in Rolark's weekly newspaper earlier this summer asking them not to advertise because the newspaper criticized the Congress Heights Neighborhood Development Center, a unit of Southeast House.

Tobriner said the inquiry into Southeast House activities was requested by Commissioner John B. Duncan who earlier had charged the settlement house with being an "agitator" in the area. The investigation is separate from an earlier report on Southeast House activities requested by Frederick B. Lee, chairman of the UPO board.

James Banks, UPO executive director, said he would refer the commissioners' request to the antipoverty agency's executive committee for "further action." But Southeast House has already instructed Mr. Coates to write Rolark to "rescind the impression" that he intended to intimidate advertisers.

"I don't know what else we can do to satisfy him," the District antipoverty chief added.

In another development, Tobriner said the committee should look into any harassment of possible witnesses by police.

The commissioner made the statement after committee member Lonnie King reported that "people in the Anacostia area are afraid of what police would do to them if they testified." King said he could only find one witness, Miss Dudley, who was willing to talk.

"Even the people who live across the street from Southeast House said they didn't see anything," King declared.

His report was backed up by Marion Barry, director of the Student Non-Violent Coordinating Committee, and Charles Vihon of the Commissioners Council on Human Relations staff, who said they could find no independent witnesses.

The committee is still expected to hear testimony from several persons charged in the incident following disposition of their cases in general sessions court this week.

In his testimony, Michaels said neighborhood workers were warned on the day of the outbreak by Lt. Emmett Sullivan, of the police community relations squad, that the situation was "dynamite" in the area and there was a possibility of an outbreak between Negro youths and white motorcycle gangs who frequented the area.

[From the Washington (D.C.) Evening Star, Sept. 3, 1966]

YOUTHS HURL WORDS ONLY IN 11TH PRECINCT ROW

(By Walter Gold)

A group of nearly 100 youths milled around the 11th Precinct station house in Southeast Washington late last night, protesting the arrest of two teen-agers on disorderly conduct charges.

Unlike the stone-and-bottle throwing incident outside the police station the night of Aug. 15, last night's action was confined to verbal attacks on police inside the station house. By 12:30 a.m., about one hour after the young protesters had gathered, "they apparently got tired" and dispersed, police officials said.

No arrests were made among the protesters, nor was there any violence or damage, police said. Police termed the incident "minor" and praised the cooperation of neighborhood and local civil rights leaders who rushed to the station house "just in case they were needed."

DAVIS CONFERS WITH GROUP

Capt. Owen Davis, recently appointed commanding officer of the troubled precinct, was among those who came from their homes to confer with the protesting youths. Davis and Lt. James Heflin gave this account of the incident and what led up to it:

About 11 p.m. a group of teenagers and young adults gathered in the area of Nichols Avenue and Howard Road SE after attending a dance nearby. At 11:10 p.m., three men were arrested by police Tactical Force officers at the intersection and charged with disorderly conduct.

A 17-year-old girl, who tried to interfere with the arrests, also was arrested on the same charges when she stood outside the 11th precinct about 11:30 p.m., shouting obscenities at those inside, Davis said. It was at this point that the crowd gathered outside the station house.

Minutes later, the three arrested men were freed after forfeiting $10 each on the disorderly conduct charges. As they walked away from the station house, a 14-year-old brother of the arrested girl stood in the crowd and yelled protests at the officers. He was taken into custody by officers.

In the midst of the chanting and yelling outside, a United Planning Organization worker, who police described as a "constant anti-police instigator," appeared in the station house to complain about the apprehension of the two teen-agers, whom she identified as her children. This contributed to the confusion, Davis said.

After police took statements from the woman's children, they both were released in her custody, as is customary in such cases, pending a Juvenile Court hearing. The boy was scheduled to spend the weekend with the family of Mrs. Ruth Bates Harris, executive director of the Commissioners Council on Human Relations.

Upon hearing this, most of the youngsters outside the station house left and the rest were dispersed by adult neighborhood workers. Earlier, police officials had "asked the kids to leave but did no more" when they refused.

CALLED MISUNDERSTANDING

All of those involved in last night's incident, including the arresting officers, are Negroes, officials said.

"It's not a racial problem," Capt. Davis said early today. "It's a misunderstanding by the people who live in this neighborhood of what their children are doing to bring on these arrests."

"I think we're beginning to make some progress towards better police-community relations," Davis added. "For example, when told of what her children did, (cursing and yelling) the irate woman turned on her kids and bawled them out—that's a start in the right direction."

The Citizens Committee on the 11th Precinct is the 40-some member group appointed to probe the causes of the anti-police disorders, August 15th, in the Anacostia area of Washington. The Committee has three co-chairmen. They are Sterling Tucker, Henry K. Willard, and Walter R. Williams. In recent weeks these men have conducted public and executive hearings into the disturbance. During the next half-hour we will question them on their preliminary conclusions.

I am Robert Hager, N.B.C. News, this is David Rush and Vernon Hickson, both also of N.B.C. News, and this is Dimension Washington.

This is Dimension Washington, a look at the vital problems confronting our metropolitan region and the efforts to solve these problems. Dimension Washington is a presentation of WRC and WRC–TV News and Public Affairs.

Mr. HAGER. We begin our questioning with David Rush.

Mr. RUSH. Mr. Tucker, I'll direct my question to you and the other two gentlemen can feel free to answer also.

From the time this committee was appointed there has been criticism from one quarter or the other, for one reason or the other, making it appear that the committee started on a note of hostility from within the community. Was this the case in Southeast and why this hostility toward the committee?

Mr. TUCKER. Well, I think, whenever an incident, such as took place on August 15th, occurs where there were as many people involved as there were, where much concern and tension as existed, there is bound to be different feelings as to what type of committee can best do the job. I think that we recognize, (as did) initially by the commissioners, that the committee ought to have more representation from the Southeast area, that is true, that the principle leadership of this committee ought to represent people from the Southeast area, and so I think some of the major suggestions about these compositions of the committee have been dealt with. I feel, however, that the lack of specific authority and the lack of certain powers by the committee have, also, subjected it to some criticisms, although they were not matters that the committee could control. And yet we have had to labor under very serious handicaps and laboring is what we have really been doing. So I can understand the criticisms and I can see that they have, in many instances, some justification, but these are not problems the committee itself can resolve.

Mr. RUSH. Well among the latest, not to criticize the committee, but to call on it to be dissolved, is the City's Republican Chairman, Carl Shipley, and in a statement he put out he said, "Refusal by persons participating in the disorder and police to appear before the citizens committee has reduced it to the dimensions of a farce and has paralyzed its activities." Have the committee's activities been paralyzed by a refusal of some witnesses and police to appear?

Mr. TUCKER. We have had handicaps, obviously, because of court cases and other action, which are pending. There are rights of individuals and the policemen which must ben protected. The committee is mindful of this and is concerned that these rights be properly protected. At the same time, there is a responsibility, which the committee has been charged with and is trying to carry out. We have been successful to some degree in getting some eye-witness testimony by some people who have been involved. Chief Layton has promised to help us secure testimony in the court records, which would also help us, to some degree. We still need, however, to get more first-hand testimony and at the moment, particularly by policemen who were involved, and I do think that we have been handicapped; but I totally disagree that the committee—its work has been reduced to a farce or that the committee itself is. We have handicaps that we labor under.

Mr. RUSH. One other question. You mention Chief Layton. There was a conflicting report on Thursday, that Chief Layton was to appear before the committtee that morning; a later report that he would not. Chief Layton's office said he was not scheduled to appear. What happened there?

Mr. TUCKER. Well it may be that we are dealing in semantics. I think that, if the question is, "Was there a firm pledge from the Chief" that he would come, the answer would be no. If the question is, "Was there an expectation based upon conversations" that he would probably appear, I personally would say the answer is probably yes. When I learned that he was not going to appear, I felt a sense of disappointment and, not only because he was not coming, because in my opinion I was under the impression that he would probably be appearing. I felt the question was whether or not it would be an open session, or whether it would be an executive session. But to say that we had a firm commitment that he would show up on Thursday morning at a given time—no we did not have a commitment to that degree.

Mr. HICKSON. Mr. Willard, I understand that Marion Berry of SNIC has resigned from the committee. Have there been many resignations and what seems to be the general reasons?

Mr. WILLARD. To my knowledge, Mr. Hickson, there have been four resignations to date. Mr. Kalamire stated he was unable to serve due to business pressure. Mr. Berry resigned because, in his opinion, which he certainly is entitled to, he did not think the committee was accomplishing the purpose, which in at least his viewpoint, he thought the committee was constituted to come up with. He certainly has the right to resign. I personally regret exceedingly that he has. We are a multi-faceted committee and, in so far as is humanly possible, I think, Commissioner Tobriner tried to make the committee as representative of all the diversive views in the city as possible, and certainly Mr. Berry represents one view. I feel his resignation is a loss to the committee.

Mr. HICKSON. To turn to the work of the committee itself, what large conclusions are emerging now?

Mr. WILLARD. I think we can say that the primary conclusion we have reached, so far, is that the Southeast or the trans-Anacostia River area of the city, has not been in the main-stream of city life. The citizens over there, from testimony that has developed to date, seem to feel very strongly that they have not been represented in the District Building on any of the community advisory councils and facts and statistics to support this have been given in voluminous amounts, and I think will become an important part of the findings of the committee, when the report is finally submitted.

Mr. HICKSON. Do you have anything to add to that, Mr. Williams?

Mr. WILLIAMS. I feel also that many of the cases there has not been any testimony given by the people in the community, because they feel that this committee is in itself, surely, was supposed to have more power than the people on the committee in Southeast had in order to get police officials and the commissioners to appear and testify on the incident that happened in Anacostia. I feel that the people in the community feel that if we can't get the public officials to appear before us then they won't be able to get the officials to appear before them, and I feel that people will lose a lot of confidence in this committee if we do not get some of the representatives of the city to appear and testify.

Mr. HAGER. Mr. Williams, you are the General Supervisor of the "Rebels For A Cause", are you not?

Mr. WILLIAMS. Yes.

Mr. HAGER. And I believe your salary, you said, is paid by the U.P.O., which is an arm of the Government's War on Poverty?

Mr. WILLIAMS. Yes.

Mr. HAGER. I'm curious for your opinion, since this has been somewhat of an issue in what happened in Anacostia, on what part paid anti-poverty workers ought to play in demonstrations or in leading civil disobedience as a violation of laws. Do you feel that this is something that anti-poverty workers ought to be in on?

Mr. WILLIAMS. I feel that the anti-poverty workers should be in on the action, as much as the people of the community want them to be on. I feel that if the people in the community want them to participate along with them side by side, I feel that they should do this.

Mr. HAGER. Now, in some neighborhoods trouble will go beyond peaceful demonstrations into violence, and not talking about the incident in Anacostia in particular, but what about the role of an anti-poverty worker in this case: Suppose, you say he is supposed to be in with the people and acting with them—suppose they want to throw bricks at a police station. Now should the anti-poverty worker participate?

Mr. WILLIAMS. I think most anti-poverty program workers should have some kind of relationship with these people, and if the people want to do something of this sort they should use all effort in trying to curb this sort of violence, such as throwing rocks or bricks, or beating people in the head, and all such things of this nature. They should try to encourage the people that there are other ways of doing things besides violence.

Mr. RUSH. In your view is that the role they played on the night of August 15?

Mr. WILLIAMS. I feel that the role that the anti-poverty workers played on the night of August the 15th—I think they most likely tried to curb the use away from throwing rocks and so forth, and they tried to get the issue down on the table and talk the thing over.

Mr. RUSH. Were you there that night?

Mr. WILLIAMS. I was not there that night. But I was at some other meeting where the youth wanted to blow-off some steam and incidents involving the policemen.

Mr. RUSH. Mr. Williams, isn't there much difference in blowing-off some steam, as you put it, and flouting the law, such as throwing rocks, or storming a police station, or anything else which could lead to violence? Should not there be some means of blowing-off the steam other than storming a police station?

Mr. WILLIAMS. Well I feel I know of no other way than blowing-off because most of these kids must be mad at policemen because they have had so many policemen come through the neighborhood calling the youth all sorts of names, locking kids up for no reason at all, because he told him to move on and he walked slowly, he is disorderly, and there are many youth who would gladly throw rocks or participate in any kind of violence that is dealing with the policeman.

Mr. HAGER. Mr. Williams, let me ask you this. Do you think that, on the basis of what you know so far, that those who participated in the disorders in Anacostia did the right thing?

Mr. WILLIAMS. I think they did the right thing as far as picketing, but the rock throwing—I don't think they did the right thing as far as throwing rocks or firecrackers.

Mr. HAGER. How about you, Mr. Willard, do you have an opinion on that same question, on the basis of what you know so far, if they did the right thing in Anacostia?

Mr. WILLARD. I certainly think it is a fundamental American liberty for any citizen to peacefully picket, to remonstrate for what they consider to be rightful grievances.

Mr. HAGER. Mr. Willard, I wanted to ask you—we talked about some of the criticisms that Marion Barry had of this committee and one of his criticisms was aimed at you personally, and he said that you, as a former acting President of the Urban League, had left the Urban League in protest over that organizations semi-support for his free D.C. Movement. Is that correct?

Mr. WILLARD. My particular feeling on this matter was not so much the Free D.C. Movement in itself, but the so-called hold-up of merchants which Mr. Barry instigated in order to carry out his program.

Mr. HAGER. Is that not an example of one of these peaceful demonstrations that you said you would support?

Mr. WILLARD. Laughter . . . well being a banker, Mr. Hager, you will, I think, have to realize that when you attempt to shake-down merchants, you are striking at something that is pretty close to us. I certainly couldn't support any shake-down of merchants. That may be a peaceful form, but it is to me a some what illegal and irrational form of attempting to get a point across.

Mr. HAGER. Wouldn't then a peaceful demonstration, even if it didn't go to rock throwing, a peaceful demonstration outside a police department, in effect be a shake-down of police?

Mr. WILLARD. I think you are carrying your semantics a little far on that one Mr. Hager. It is a matter of personal opinion.

Mr. RUSH. Mr. Tucker, what conclusions have you drawn about the relationship between the police and the people in the Anacostia area?

Mr. TUCKER. I think it is a little early for any definitive conclusions. I have some impressions at this point. We have had testimony which suggests to me that one of the principal organizations, which ought to be extremely active in work between the police and the community, is the advisory council to the 11th precinct. You know in each precinct we do have a citizens advisory council. And I stood as one of those who tried to build this structure across the city, because I felt that the police department needed desperately a group of people close to it to work around these problems. The testimony presented to this committee up to this point clearly indicates that there has been no bright real effective youth of the department on this advisory council, nor, in my opinion, has this advisory council extended itself in the ways that it might to be of greater service and so, for instance, at no time during the course of this incident has the advisory council really been consulted, or in other incidents prior to this time; which means that a principal link between the police in the community has gone un-utilized. And therefore, I think, that in the whole area of police-community relations here a good deal of repair and building work has to be done.

Mr. HICKSON. Would that be the major brunt of your final recommendation? Would it deal with police-community relations or would there be a larger suggestion?

Mr. TUCKER. It seems to me that, and again these are all preliminary impressions, that our investigation will have to necessarily deal with things broader than police-community relations, because the issues are deeper than this. Police and community relations are superficial indications of a more real situation, but indications which are significant if we are going to prevent explosions, and we have got to build an understanding and a good spirit of cooperation between police in the community while other organizations and institutions are solving the more real, and the more difficult, and the more basic problems, but here there is no, in my opinion, network of solid communication which reaches from the police station to the community and back, where there is two way discussion and action and planning. And, I think, this, therefore, makes it extremely difficult for groups and organizations and agencies who function in that environment, therefore, to really serve in their best capability.

This, I think, is a problem which, I think, might be symptomatic of other parts of the community too. It would seem to me that while it is not our job to look across the community at all problems in every precinct, it would be proper, it seems to me, that we would suggest that the rest of the community look at itself in this regard. Might I say in this connection the Chief's Advisory Council, Chief Layton's Advisory Council on Community Relations, did, last week, in its meeting pass a resolution which urged all of its advisory councils in the 14 precincts to take a look at problems in itself, in the way it functions, to determine whether or not there are ways that they can become more effective, and I think this recommendation has grown out of some awareness created through the incident of August 15th in the 11th precinct.

Mr. RUSH. Mr. Tucker, Mr. Willard said a few moments ago, one thing you have learned so far has been that Southeast has been out of the main-stream of city life. Do you see this as the deepest issue on the basis of your investigations at this point?

Mr. TUCKER. I think the three of us would agree that it would be rather difficult to say what the deepest issue is. Mr. Banks, Jim Banks, in his testimony before the committee pointed out the large number of young people in that area and, I think, you would be amazed at the size of the youth population there.

When we look at some of the facilities, some of the recreation, some of the problems of housing, that we know are there, adding to the population of more than 100,000 people in an area, small area, given these condition by part of a community which has gone fairly unrepresented in decision making and planning by this community, isolated in some ways as suggested by Mr. Willard, and perhaps even in others, it is predictable that the problem which has occurred there could happen.

Mr. RUSH. Well have you found it difficult to conduct the investigations, while legal aspects of this incident are going on too?

Mr. TUCKER. It has been extremely difficult. I have been on many committees that have looked into many different kinds of problems in this and other communities, and I have never been on a more frustrating assignment, but the problems are real, the legal problems are real, we have to recognize it. I've had a feeling that the legal aspects of it have, maybe, been exaggerated out of proportion in terms of the possible influence of this investigation upon the outcome of action pending. Nevertheless, I have to respect the opinion of lawyers on both sides, those representing the police and those representing the community.

Mr. HAGER. To carry that one step further: Why do you think they are out of proportion in those fears?

Mr. TUCKER. Well, I believe that there is much testimony that can come to us which doesn't necessarily impinge or infringe upon the issues involved in the court cases. Again this is a layman's opinion. Therefore, I can't carry this too far except to say that it seems to me that there is much information that could be given us which would be useful while at the same time the rights of those involved would be properly and adequately protected.

Mr. HAGER. Again for you Mr. Tucker—As I understand it, this committee has two functions; to investigate and to recommend. Now you were chairman of the forerunner of this committee, the one that investigated the rioting at—no you didn't call it a riot—the disorder at Glen Echo Amusement Park, and made a long and comprehensive series of recommendations. Yet I can't think of a single instance in which there has been an effort to carry these recommendations out—that is positively nobody met after the report that I know of and said, now we are going to implement it, one, two, three. Am I right there and can anything different be done in this case?

Mr. TUCKER. Let me say that there was a line in that Glen Echo Report which shook up a lot of people and that line said that the disturbance at the place of Glen Echo on Easter Monday was one holiday but pretty soon summer was coming and there would be three months of holidays, when every day would be a holiday, and that the kind of problem that developed on Glen Echo on that one day can happen unless we get about the business of taking care of some conditions in our community that it will be multiplied many times over.

As a result of that statement and facts which supported it, I know for a fact, that a good deal of activity got underway to step up summer planning of programs, job finding, lighting playgrounds, getting some portable swimming pools, more after school activity, street dances; in other words I think the city came alive and a lot of people recognized more fully the potential explosions existed here and, I believe, therefore, that out of it additional money went into playground public school activities and more work underway for a lot of behind the scenes feverish and constructive activities took place as a result of some of the findings. So I'm very much of the opinion the time in that report was well spent.

Mr. HAGER. Mr. Willard, let me direct this question to you. It seems to me here that we have an example where a disorder had

resulted in something positive and something good, and this is a disturbing thought really that we have to have a disorder before something good comes of it and wouldn't that, if you were one of the people taking part in a disorder, show you that, yes, you ought to get out-of-hand and riot because then something good is done for me.

Mr. WILLARD. I don't think that is the case Mr. Hager. I think our whole effort today in this city, where we have excellent relations relatively between the races over the years, are directed toward preventing disorders before they start. I don't think it, in any way, shape or form, you can state the only way that something positive comes about is for a disorder to occur. We are fortunate in having a good many community leaders, Negro and white alike who, I think, are working together with the utmost sincerity to see that these things are prevented and perhaps in some cases it takes an actual incident to spark the community conscience so that there is a concerted effort on the part of the whole total community to become involved, but at the same time there is a dedicated group of citizens of all walks of life who are continually working to prevent disorders before they arise.

Mr. RUSH. Mr. Willard, you are of Southeast residence, are you not?

Mr. WILLARD. No, sir; I am a Northwest resident.

Mr. RUSH. The reason I asked you this is going back to this remark you made earlier in the show about Anacostia not being in the main-stream. How long has Anacostia not been in the main-stream of city life and how did it come about?

Mr. WILLARD. I think you will find people who will testify that Anacostia has always historically been out of the main-stream of city life, dating back to the days before the Civil War when John Wilkes Booth, on his flight to southern Maryland, as soon as he crossed the 11th street bridge, thought he was out of the city and had sanctuary.

Mr. HICKSON. Mr. Williams, what have you learned about the disorder from the testimony that you didn't know before?

Mr. WILLIAMS. What have I learned from the disorder——

Mr. HICKSON. . . . from the testimony so far what have you learned about the nature of the disorder that you didn't know before? I assume that you live in the Southeast area, in the Anacostia area.

Mr. WILLIAMS. Right. I know I learned one thing, that if there isn't any disorder you don't get no attention. That's the only thing I have learned. We have been trying to have meetings with police officials and so forth, trying to get some kind of work shop going on in the different communities, where the officers can come in and be introduced to the youth, and speak and talk over things—but that didn't work. It wouldn't work out because the officers didn't appear. We have a group of about 45 youth at the Brier Farm Recreation Center and there was supposed to be three or four officers to come in and speak with the group and in turn, you know, ask questions. The officers didn't appear. We have been trying to set up all sorts of programs to try to lessen the gap between the policeman and the youth in the different areas and we haven't been successful in doing this.

Mr. HICKSON. Do you suggest then that the route of social progress, the way to lessen this gap is to create some unrest and then allow the community to respond? Is this correct?

Mr. WILLIAMS. As long as I have been living this is the only way I've seen something getting done, is to start some sort of disorderly and then someone looks into it, and to keep this sort of thing from happening again something is done about it. But you can beg, plead, cry, and do what ever you want to, but nothing is actually done. It is forgotten. Until you start committing some kind of violence or something, someone looks into it to kind of keep things down for the time being.

Mr. HICKSON. Do you feel then that most of the time you are ignored until you make your voice heard?

Mr. WILLIAMS. This is the way I feel.

Mr. RUSH. Have these grievances been carried to city officials, outside the police department previously?

Mr. WILLIAMS. Yes. We have carried grievances to Joe Coles and progress has been made to provide recreation in some areas where there is none, such as in Sheridan Terrace. There is some land over there and they had no recreation. The kids had started to throw bricks and bottles over at the private swimming pool, because there are some new apartments built just behind Sheridan Terrace, and they have several private swimming pools, and because they are not residents of these apartments they cannot use the swimming pools and they started to throw rocks at the tenants living in these apartments. We started a large picnic area in Sheridan Terrace with small play equipment, barbeque pits, and we conduct activities over there to keep the youth occupied during the day.

Mr. HAGER. Well we have only about a minute left. Mr. Tucker, do you have an idea now on the time table for the committee?

Mr. TUCKER. Well, we have a problem. Our next step, it seems to me, and, of course, the chairman and co-chairman will have to confer on this, is to determine when and if we are going to be able to get testimony—direct testimony—from the Chief, and then, also, whether we can get it from officers who were involved, or who were on the scene the night of the 15th. I think whether we continue, it seems to me, hinges upon this, so I would hope, that we can still honor our September 15th deadline, which Commissioner Tobriner has set for us. It may be a little doubtful at this point but I, like I am sure my colleagues in this committee, are anxious to get this job done as quickly as we can.

Mr. HAGER. It at least sounds likely you are hoping for some kind of wrap-up during this month.

Mr. TUCKER. Very definitely, this is my extreme hope.

Mr. HAGER. Thank you very much gentlemen. Our guests have been the co-chairmen of the Citizens Committee on the 11th Precinct, Sterling Tucker, Mr. Henry K. Willard, and Walter Williams. I am Robert Hager, joining me in the questioning has been David Rush and Vernon Hickson. This has been Dimension Washington.

We invite our viewers to suggest future guests and subject matter. Please address your suggestions to Dimension Washington, 4001 Nebraska Avenue, NW., Washington, D.C. Dimension Washington is a presentation of WRC and WRC–TV News and Public Affairs. This program was pre-recorded.

AUGUST 31, 1966.

Hon. ROBERT C. BYRD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BYRD: In response to your letter of August 23, I am enclosing herewith letter from James G. Banks, Executive Director of the United Planning Organization, giving you certain information in connection with Pharnal Longus and Phil Perkins.

If you desire additional data, please let me know and I shall make every effort to obtain it for you.

With kindest regards.

Sincerely yours,

WALTER TOBRINER,
President, Board of Commissioners, D.C.

UNITED PLANNING ORGANIZATION OF THE NATIONAL CAPITAL AREA,
August 30, 1966.

The Honorable WALTER N. TOBRINER,
President, Board of Commissioners, District of Columbia, Washington, D.C.

DEAR MR. TOBRINER: This is in reply to your letter of August 29, 1966, referring to Senator ROBERT C. BYRD's request for information concerning Pharnal Longus and Phil Perkins.

Mr. Longus was employed by Family and Child Services, Inc., as a Caseworker from August 1, 1965 to December 31, 1965, and assigned to work at the Southeast House (Washington Welfare Association). Mr. Longus was paid from funds provided the Family and Child Services, Inc., by the United Planning Organization under a grant from the Office Economic Opportunity. In January 1966, Mr. Longus accepted the post of Community Organizer, with the Southeast House, which he now holds. Mr. Longus's salary, of $9,550 per year, is paid by the Southeast House with funds provided by UPO under a grant from OEO. I note that on August 25, 1966, *Mr. Longus was found not guilty of the charge to which Senator Byrd refers.*

Under our contracts with both Family and Child Services and the Southeast House, staff required to implement contracts is selected by those agencies under agreed-upon standards.

Mr. Perkins was employed by the Southeast House as a Neighborhood Worker beginning October 7, 1964. Mr. Perkins was paid an annual salary of $4,770. He was dismissed by that agency on August 22, 1966, as "not adequately responsive to supervision."

He has appealed this action and is scheduled for hearing, under Southeast House Personnel regulations, in September. Mr. Perkins's salary has been paid with funds provided the Southeast House by UPO under a grant from OEO.

I hope this information proves helpful. If I can be of further assistance, please let me know.

Sincerely,

JAMES G. BANKS,
Executive Director.

AUGUST 11, 1966.

To: James M. Powell, Chief, USCP.
From: W. W. Kirby, Lieut., S–2, USCP; W. C. Hall, Sgt., S–2, USCP.
Subject: Incident in Rm. 342, OSOB (Senator BYRD, W. Va.).

On August 10, 1966, at approximately 1:00 PM, this office received a call from the office of Senator ROBERT BYRD (342 OSOB) stating that a group of young Negroes was sitting outside of the office and making loud and boisterous noises. Sgt. Hall and Pvt. W. A. Brumfield responded to the scene and found approximately fifteen (15) young boys and one young girl, as well as one adult, sitting and lying in the corridor outside of room 342. The group was instructed to stand up on their feet and to stop making a lot of noise. They complied. They were informed that they could not congregate in the corridors. At first they refused to disperse and the above mentioned adult member of the group laid himself on the floor of the corridor. When confronted with possibility of physical ejection from the premises they al-

lowed themselves to be escorted from the building via the Del. Ave. & "C" St. Entrance. They waited outside this entrance for a "friend" who had remained in the office of Senator BYRD.

The above mentioned "friend" was one Randy Adkins, of Charleston, W. Virginia, who had come to see Senator BYRD in regard to some money he had lost and also about getting a job, as well as a place to sleep for the night. Senator BYRD made arrangements for the youth in both cases. Adkins was then turned over to Dets. Gainer and Hubbard of the Youth Aid Division, MPDC.

The spokesman for the group escorted from the building was:

Andrew Eddie Jackson, N/M 15 yrs, 1340 Stevens Rd., S.E.

The adult advisor was: Pharnal Longus, N/M 26 yrs, 2645 Bernie Pl., S.E.

The other members of the group were:

Jerry Brown, N/M 17 yrs, 1148 Eaton Rd., S.E., Phone 563–5406.

George Goodman, N/M 13 yrs, 1222 Sumner Rd., S.E., 561–5899.

Larry Jefferson, N/M 13 yrs, 1141 Sumner Rd., S.E., 561–6337.

Micheal Taylor, N/M 15 yrs, 1241 Stevens Rd., S.E., 561–3361.

Johnnie Boyd, N/M 14 yrs, 2702 Wade Rd., S.E., 561–6377.

Ronald D. Lee, N/M 16 yrs, 1257 Stevens Rd., S.E. No phone.

Victor Page, N/M 14 yrs, 1338 Stevens Rd., S.E. No phone.

Patrick Evans, N/M 14 yrs, 1246 Stevens Rd., S.E. No phone.

Jerome Young, N/M 16 yrs, 1130 Stevens Rd., S.E., 561–5172.

Jonathan Lawson, N/M 17 yrs, 1244 Stevens Rd., S.E., 562–7681.

Respectfully submitted,

W. W. KIRBY,
Lt., S–2, USCP.
W. C. HALL,
Sgt., S–2, USCP.

[From the Washington (D.C.) Evening Star, June 14, 1966]

RELIEF CLIENTS PICKET HOME OF SENATOR BYRD

Fifteen welfare recipients from the Barry Farms public housing project in Southeast Washington picketed the North Arlington home of Senator ROBERT BYRD, D-W.Va., this morning.

The pickets, mostly women, arrived about 7:30 a.m. in the 700 block of N. 4th Street and began marching single file in front of the Senator's modest corner residence.

The ostensible leader of the pickets was Mrs. Shirley Jones of 1302 Stevens Rd. SE. However, the pickets were instructed on their moves by Phil Perkins, a neighborhood organizer for the United Planning Organization.

Perkins kept out of the picket line until 8 a.m., when he joined it to lead the singing of freedom songs.

The pickets carried placards reading "Get rid of investigators, give US the job," "Senator BYRD go back to West Virginia," and a sign referring to William Galvin, the District Welfare Department's chief investigator, whom pickets have recently been demonstrating against.

The demonstration aroused little reaction in the quiet neighborhood.

There was no sign of activity inside BYRD's home, although the Senator's car was parked in the driveway.

It has been announced, meanwhile, that District welfare recipients will stage a noontime protest march down Pennsylvania Avenue NW June 30. Plans were laid yesterday by a committee of the District Welfare Alliance.

The march is scheduled to start at 499 Pennsylvania Ave. NW, in front of the Welfare Department, and end at Lafayette Square, across from the White House, where a rally will be held.

The recipients are holding the march to dramatize their demands for higher monthly grants, a cut in Welfare Department investigators and an end to the "man in the house" rule, a spokesman said.

[From the Washington (D.C.) Evening Star, Aug. 27, 1966]

GROUP PROTESTS FIRING OF NEIGHBORHOOD AIDE

(By Donald Smith)

A group of Anacostia residents rallied in front of the Southeast Neighborhood House last night to defend a neighborhood worker who was fired last Monday for alleged misconduct.

About 25 persons, some of them neighborhood workers, confronted Southeast House Director Ralph Fertig to protest the firing of Philip J. Perkins of 1920 Mississippi Ave. SE.

The house, 2263 Mt. View Place SE, is near the scene of last week's teen-age rock-throwing melee at the 11th Police Precinct stationhouse.

DEFENDS ACTION

Fertig told the group it had been his decision to fire Perkins, but promised Perkins would be given a hearing before an appeals committee "just as soon as possible."

"I submit that he was fired for a good reason," Fertig said.

"In moments of crisis I felt the staff should remain focused on what they are already doing. Staff members should not go out and get into new positions during hearings," referring to the sessions of a committee investigating last week's outbreak.

In dismissing Perkins, Fertig had cited "a pattern of resistance to supervisory authority over the last 22 months which has not been adequately checked in spite of sporadic moments of improvement."

But Perkins countered that members of the center's board of directors "are afraid of direct action."

"They want to get rid of me because of my commitment to radical social change," he declared.

"I feel that if people have a need that cannot be solved otherwise, they need direct action."

Perkins said that the day after last week's incident, "I was out there trying to organize the kids to do something. They were talking about killing people. How are you going to cool it when people are throwing rocks?"

A spokesman for a group of neighborhood workers called the Hawks told Fertig that his group "supports Phil and what he is doing," and that Fertig had shown poor judgment in firing him.

DIFFER ON DIRECT ACTION

Another supporter, was Mrs. Etta Horne, chairman of the District Welfare Alliance.

"Phil Perkins has gotten the people out and interested," Mrs. Horne declared.

"He has the whole community behind him. You won't find anybody else who will work like he does, from dusk to dawn. I think he was fired to make other workers afraid of direct action."

Fertig, however, insisted that the Southeast House "is committed to direct action," and that its present activities of picketing and negotiations "will continue, with or without Phil."

He noted that Perkins would be on the payroll until late September to give him a chance to present his case to the appeal committee.

[From the Washington Post, Aug. 16, 1966]

FIVE INJURED IN ANACOSTIA DISTURBANCE—YOUTHS HURL ROCKS, BOTTLES AT POLICE; 13 ARE ARRESTED

(By Robert Greene)

Rock-throwing bands of young Negroes stormed through the section around the 11th precinct police station in Anacostia last night and early this morning. Five persons, including a policeman, were injured and at least 13 were arrested.

For two hours, the youths hurled rocks, bottles and firecrackers at policemen and passing automobiles, forcing 11th precinct officers to call a meeting with community leaders at 1:30 in an attempt to quell the disturbance.

YOUTHS ROAM STREETS

The youths, as many as 40 at a time, roamed the streets from Nichols ave. up to Morris rd. Police donned riot helmets and called out canine corps reinforcements.

Social workers, gang leaders and "independent neighborhood workers" were involved in the series of incidents.

Lt. Edwin J. Huff, precinct commander on the midnight to 8 a.m. shift, called the incident "the worst I've seen in Washington."

STARGEL AT SCENE

Inspector James E. Stargel, acting chief of the Metropolitan Police, was called to the scene. Early this morning, he finally succeeded in assembling about 20 community leaders in the station house for an analysis of the situation. They promptly told him that the only people with power to cool things off were among those arrested.

The disturbances were apparently touched off by arrests yesterday of two men involved in a rock-throwing melee Saturday night in Congress Heights. A third man, a neighborhood poverty worker, was also arrested and charged with attempting to interfere with the arresting officers.

About 25 teenagers, most of them members of a youth center funded by United Planning Organization, picketed for almost two hours, demanding release of the arrested men and charging police brutality.

They left the precinct house, at 2310 Nichols ave. se., about 9:30 p.m. But about two hours later, some 35 of them assembled in a parking lot across the street and began hurling rocks, bottles and beer cans.

STRUCK BY ROCKS

Lt. Huff, a detective and a newsman were struck by rocks but were not injured.

Police broke up that demonstration and another one a few minutes later without arresting anyone. But the youths merely moved up the street, to the Southeast Neighborhood House, 2883 Mt. View pl. se.

There they lay down across the street, blocking traffic, and again began throwing rocks and other missiles at the police.

Patrolman James G. Hanes, knocked down and beaten when he was caught alone in the front yard of the settlement house, was treated for head and hip injuries at Washington Hospital Center.

Police arrested 13 persons, eight of them juveniles, after that fracas.

Four of the injured juveniles were taken to D.C. General Hospital in ambulances, but their condition was not believed to be serious.

The original demonstration last night, apparently was organized by William Michaels, 24, a poverty program worker at Congress Heights Development Center. The center, a UPO organization provided the youths with signs and two cars.

UPO executive director James Banks, who appeared at the early-morning mediation session, said that "UPO had nothing to do

with it," and that he would attempt to meet with community leaders and police again today to analyze the situation.

SOUTHEAST RUCKUS RAISES OLD DILEMMA

(By William Raspberry)

Fifteen-year-old Eddie Page was telling how he and other members of his Block Boys group became involved in last week's ruckus at the 11th Precinct stationhouse in Southeast Washington.

"We were standing around, and Longus (Pharnal Longus, community organizer at Southeast House) came up and told us to come on down to No. 11. Well, I didn't know what was going on, so I asked him what was happening, and he just said, 'Come on, let's go.'

"Well, we kept asking, and he acted like he didn't want to tell us. Finally, he told us this guy (William A.) Foote had been arrested. I still didn't really want to go, but some of the other Block Boys started telling me, 'Man, you ain't got no heart.' So I went on down."

Taken by itself, Page's story, which he told at a special meeting called by Southeast teenagers to discuss the 11th Precinct fracas, is relatively insignificant.

But it raises anew a question that has been nagging local officials since the beginning of the war on poverty: When does community organization stop and incitement begin?

Howls of protest followed intimations by Commissioner John B. Duncan that Southeast House, one of the city's eight neighborhood antipoverty centers, might have had a role in fomenting Tuesday's outbreak.

Probably the statement shouldn't have been made, at least not until the current investigation is completed. But there is no question that other officials share Duncan's misgivings if not his candor.

For months they have worried privately that some community organizers and neighborhood antipoverty workers were less interested in solving problems than in forcing confrontations.

A frequent target of these community-organization efforts in Southeast has been Walter Washington's National Capital Housing Authority. Southeast Washington is where most of the city's public housing is located, and there is no question that problems abound there.

Efforts to deal with the problems one at a time have been frustrated repeatedly by a handful of antipoverty workers who seem more intent on disruption than discussion. Meetings called to seek solutions to recreation problems at a public housing site are interrupted with shouts of "What about the rats" or "What about the high gas bills" or "Why can't we have better refrigerators?"

Much of the shouting comes not from the tenants directly affected but from paid antipoverty workers.

Things finally got so bad that Washington hired John Staggers, a Howard University specialist in community work, as a full-time troubleshooter for the Southeast projects.

Ralph Fertig, director of Southeast House, acknowledges that occasionally some of his more inexperienced staffers have violated guidelines established to assist change, not provoke lawlessness. But he insists on the value of having poor people take an active part in confrontations with authority.

"It's working," he said. "The principal at Birney School tells us that truancy is at an all-time low among children of Barry Farms (public housing project), and the police say crime among these same youngsters is at an all-time low. Now we couldn't have accomplished this just by talking to Barry Farm residents about being better tenants. This came about because their active involvement in solving their own problems gave them a lot of pride they never had before.

"Four years ago, we started having meetings where we told people 'Here's what you can do to improve your housekeeping,' and nobody would come to the meetings.

"But once we got them actively involved in problem solving, they automatically became more concerned about the appearance of their homes."

Fertig denies Southeast House workers had any part in fomenting last week's trouble. Rather, he praised his assistants for sensing a potentially ugly situation and trying—with something less than total success—to turn it into a peaceful demonstration.

[From the Washington (D.C.) Post, Sept. 18, 1966]

YOUTHS PELT POLICE CAR AGAIN IN SOUTHEAST

The troubled 11th Precinct recorded another rock-throwing disturbance late Friday night, but the crowd was soon dispersed and there were no injuries or arrests.

Police said there was a report of a fight in the 1300 block of W Street se. shortly after 11 p.m. Two scout cars responded and found 50 to 100 youngsters milling around.

Officers said that as soon as the crowd saw the scout cars, it started to break up, with a large segment heading along 16th Street to Good Hope Road and then along Nichols Avenue past the precinct station house, which had been a target of rock throwers last month.

The scout cars followed and one was struck with a number of rocks, police said. There also were reports of some broken windows in buildings along the way, they said.

The crowd continued on to Barry Farm, where it dispersed. The whole disturbance lasted only about 15 minutes, police said.

Metropolitan Police Department—Pt. I offenses

Classification	Fiscal years		
	1964	1965	1966
Criminal homicide	137	177	171
Rape	162	159	196
Robbery	2,633	3,945	3,797
Aggravated assault	2,754	2,474	2,823
Housebreaking	8,209	9,309	9,221
Grand larceny	1,458	1,621	1,901
Petit larceny	8,510	8,632	11,361
Auto theft	4,606	5,736	5,295
Total	28,469	32,053	34,765

Actual pt. 1 offenses and pt. 2 felonies cleared, by unit

FISCAL YEAR 1964

Classification of offenses	Total reported	Total cleared	1	2	3	4	5	6	7	8	9	10	11	12	13	14	HP	K-9	MD	DD	TD	YAD	AH C. & R.
PT. 1. CLASSES																							
Homicide	104	101	6	15	6	2	4	1	1	----	10	12	3	4	17	7	------	------	------	12	------	1	------
Manslaughter	5	5	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	5	------	------
Negligent homicide	28	28	------	------	------	------	------	------	------	------	------	------	------	------	1	------	------	------	------	------	27	------	------
Rape	130	113	1	11	2	1	5	1	----	----	7	9	5	2	3	6	------	1	------	57	------	2	------
Attempt rape	32	27	1	------	1	----	1	----	1	----	4	1	----	----	1	2	------	------	------	15	------	------	------
Robbery	2,390	1,053	63	125	25	3	52	18	1	12	125	91	27	44	98	61	------	3	2	297	3	3	------
Attempt robbery	243	128	14	15	5	----	9	3	2	----	19	18	3	5	9	7	------	4	------	15	------	------	------
Aggravated assault	2,754	2,231	108	481	82	30	173	52	13	9	313	293	142	91	333	93	------	4	2	1	7	4	------
Housebreaking	7,971	2,595	68	207	72	38	182	111	60	133	317	209	317	230	316	181	------	9	------	140	1	2	2
Attempt housebreaking	238	154	9	23	1	3	10	8	5	8	20	21	14	4	19	8	------	1	------	------	------	------	------
Larceny, $100 and over	1,458	286	54	25	18	4	12	9	5	19	17	17	13	17	24	12	1	------	------	39	------	------	------
Larceny, under $100	8,510	2,744	575	124	95	92	129	65	54	90	217	303	140	224	265	124	------	8	7	11	8	213	------
Auto theft	4,606	1,383	30	48	24	11	35	43	7	11	71	45	47	65	40	122	------	6	------	750	25	2	1
Total, pt. 1 offenses	28,469	10,848	929	1,074	331	184	612	311	149	282	1,120	1,019	711	686	1,126	623	1	36	11	1,337	76	227	3
PT. 2. FELONIES																							
Other assaults	152	140	10	21	3	4	13	2	1	----	14	14	12	6	17	7	------	1	8	3	2	2	------
Arson	37	32	------	11	2	----	2	----	1	1	2	4	1	----	3	2	------	------	------	3	------	------	------
Forgery and counterfeiting	707	463	23	12	7	----	1	1	1	5	3	8	----	1	2	7	------	------	3	387	------	2	------
Fraud	130	80	1	6	3	----	----	1	1	2	1	------	6	1	2	1	------	1	------	54	------	------	------
Embezzlement	73	34	2	2	2	----	----	2	1	2	------	1	----	1	------	------	------	------	------	21	------	------	------
Stolen property (receiving, etc.)	64	64	1	1	1	2	2	4	1	1	6	5	6	6	5	8	------	1	2	9	2	1	------
Vandalism	93	45	4	5	3	2	5	2	1	----	4	6	1	4	1	5	------	------	------	2	------	------	------
Weapons	17	17	2	1	1	1	----	1	----	----	2	3	1	----	----	2	------	1	1	1	------	------	------
Prostitution	8	8	------	------	1	----	----	----	----	----	------	------	----	----	2	------	------	------	5	------	------	------	------
Sex offenses	108	101	3	4	1	1	2	1	2	1	------	4	1	----	2	4	------	2	38	34	------	1	------
Drug laws	548	548	4	1	2	----	6	3	----	1	1	2	----	1	10	----	------	------	516	------	1	------	------
Gambling	392	392	32	67	22	----	4	8	----	----	20	12	3	4	6	8	------	------	206	------	------	------	------
Liquor laws	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------
All other offenses	296	87	5	5	1	1	8	9	2	----	6	5	1	17	2	2	------	------	3	15	2	3	------
Total, pt. 2 felonies	2,625	2,011	87	136	49	11	43	34	11	13	59	64	32	41	52	46	------	6	782	529	7	9	------
Grand total	31,094	12,859	1,016	1,210	380	195	655	345	160	295	1,179	1,083	743	727	1,178	669	1	42	793	1,866	83	236	3

Actual pt. 1 offenses and pt. 2 felonies cleared, by unit—Continued

FISCAL YEAR 1965

Classification of offenses	Total reported	Total cleared	1	2	3	4	5	6	7	8	9	10	11	12	13	14	HP	K-9	MD	DD	TD	YAD	AH C. & R.
PT. 1. CLASSES																							
Homicide	155	148	4	27	1	----	6	1	1	1	30	14	7	6	21	11	------	------	------	18	------	------	------
Manslaughter	8	8	------	------	------	------	------	------	------	------	------	1	------	------	------	------	------	------	------	------	7	------	------
Negligent homicide	14	13	------	------	------	------	------	------	------	------	1	------	------	------	------	------	------	------	------	------	12	------	------
Rape	132	104	3	3	2	1	8	1	----	1	8	4	2	3	8	5	------	------	------	53	------	2	------
Attempt rape	27	22	2	2	1	----	2	1	----	----	2	------	------	------	------	3	------	1	------	8	------	------	------
Robbery	3,663	1,394	64	151	41	7	57	33	5	4	144	231	40	65	136	73	------	4	------	336	3	------	------
Attempt robbery	282	155	11	13	10	1	8	5	2	2	17	21	4	7	17	10	------	1	------	24	2	------	------
Aggravated assault	2,474	1,936	113	421	75	25	121	58	8	13	274	218	148	67	307	80	------	1	1	1	2	3	------
Housebreaking	9,076	2,375	88	149	77	10	154	88	81	56	315	240	192	285	308	220	------	11	1	98	------	2	------
Attempt housebreaking	233	134	3	16	6	3	10	5	3	7	14	11	17	9	18	8	------	1	1	2	------	------	------
Larceny, $100 and over	1,621	316	53	24	20	6	16	9	5	11	21	26	24	31	22	22	1	------	------	21	1	2	1
Larceny, under $100	8,632	2,878	770	141	110	62	117	69	46	84	240	318	167	164	273	162	1	4	3	17	15	115	------
Auto theft	5,736	1,454	43	65	23	18	27	35	13	7	103	38	53	116	34	335	------	13	3	486	40	2	------
Total, pt. 1 offenses	32,053	10,937	1,154	1,012	366	133	526	305	164	186	1,169	1,122	654	753	1,144	929	2	36	9	1,064	82	126	1
PT. 2. FELONIES																							
Other assaults	175	167	16	6	2	2	15	7	2	3	21	24	13	7	22	12	1	2	8	------	3	1	------
Arson	34	20	1	4	4	1	2	----	----	----	1	1	------	------	4	------	------	------	------	1	------	1	------
Forgery and counterfeiting	724	362	22	5	12	----	4	3	2	----	5	1	27	7	6	6	------	------	------	261	1	------	------
Fraud	156	62	1	2	2	----	1	1	----	1	4	2	1	1	6	------	------	------	1	39	------	------	------
Embezzlement	69	34	1	2	3	----	----	4	----	----	3	1	1	6	1	1	------	------	------	11	------	------	------
Stolen property (receiving, etc.)	57	57	3	6	1	3	4	1	1	1	8	2	8	5	8	2	------	------	------	3	1	------	------
Vandalism	52	29	1	3	1	1	1	2	----	----	2	3	4	4	3	4	------	------	------	------	------	------	------
Weapons	30	30	3	7	2	----	1	4	----	----	------	2	1	----	3	1	------	------	1	2	2	1	------
Prostitution	6	6	------	------	1	----	----	----	----	----	------	------	------	------	4	------	------	------	1	------	------	------	------
Sex offenses	76	67	3	3	2	----	2	----	2	----	1	5	4	----	1	2	------	------	18	23	------	1	------
Drug laws	494	493	5	9	5	----	4	----	1	----	11	1	----	1	25	1	------	------	429	1	------	------	------
Gambling	398	398	26	65	15	----	5	4	----	2	14	11	9	----	13	8	------	------	226	------	------	------	------
Liquor laws	12	12	------	1	------	----	----	----	----	----	1	1	------	------	------	2	------	------	7	------	------	------	------
All other offenses	191	71	6	6	2	----	2	2	----	----	5	5	1	6	2	4	------	------	2	27	------	1	------
Total, pt. 2 felonies	2,474	1,808	88	119	52	7	41	28	8	7	76	59	69	37	98	43	1	2	693	368	7	5	------
Grand total	34,527	12,745	1,242	1,131	418	140	567	333	172	193	1,245	1,181	723	790	1,242	972	3	38	702	1,432	89	131	1

FISCAL YEAR 1966

PT. 1. CLASSES																							
Homicide	146	137	1	21	4	----	6	9	1	1	23	13	11	5	9	8	------	------	------	25	------	------	------
Manslaughter	11	11	------	------	------	------	------	1	------	------	1	------	------	------	------	------	------	------	------	3	6	------	------
Negligent homicide	14	14	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	14	------	------
Rape	169	118	2	4	1	2	4	3	3	----	9	8	9	3	9	9	------	------	------	50	------	2	------
Attempt rape	27	20	------	3	2	----	2	----	----	----	------	1	2	1	2	2	------	------	------	5	------	------	------
Robbery	3,531	1,237	99	140	40	23	59	57	8	5	125	77	72	35	118	84	------	3	------	292	------	------	------
Attempt robbery	266	114	15	11	8	3	8	1	2	3	8	12	9	6	7	2	------	2	------	15	1	1	------
Aggravated assault	2,823	2,077	126	418	70	33	150	92	11	8	283	237	171	76	297	87	------	7	3	1	5	2	------
Housebreaking	8,920	1,476	78	137	89	28	90	126	44	18	168	150	127	72	194	95	1	6	------	52	------	1	------
Attempt housebreaking	301	132	1	6	8	4	13	15	2	----	26	13	13	3	14	13	------	1	------	------	------	------	------
Larceny, $100 and over	1,901	245	44	22	16	8	11	12	6	5	27	11	17	5	21	4	1	------	5	30	------	------	------
Larceny, under $100	11,361	2,675	716	105	141	89	125	112	49	54	417	234	116	85	219	127	------	2	1	12	4	67	------
Auto theft	5,295	903	30	41	25	14	31	25	11	11	69	28	98	39	41	220	------	8	------	198	12	2	------
Total, pt. 1 classes	34,765	9,159	1,112	908	404	204	499	453	137	105	1,156	784	645	330	931	651	2	29	9	683	42	75	------
PT. 2. FELONIES																							
Other assaults	213	201	20	13	9	4	26	10	----	----	18	34	21	13	15	7	------	3	3	------	4	1	------
Arson	54	23	1	3	----	1	----	5	----	----	2	3	2	2	3	1	------	------	------	------	------	------	------
Forgery and counterfeiting	611	373	41	5	16	----	2	1	3	2	4	10	3	3	14	3	------	1	------	264	1	------	------
Fraud	165	66	------	2	5	----	1	----	----	----	1	3	3	2	13	1	------	------	------	35	------	------	------
Embezzlement	45	23	3	1	----	1	----	1	----	2	2	2	1	----	1	------	------	------	------	9	------	------	------
Stolen property (receiving, etc.)	66	66	7	4	1	3	2	5	1	1	12	2	8	4	8	4	------	------	------	3	1	------	------
Vandalism	76	50	4	9	----	1	7	4	----	3	8	2	2	1	7	2	------	------	------	------	------	------	------
Weapons	37	37	4	------	3	1	2	3	----	----	10	2	2	----	3	------	------	------	6	------	------	------	------
Prostitution	2	2	------	------	------	----	----	----	----	----	------	------	------	----	------	------	------	------	2	------	------	------	------
Sex offenses	81	72	3	7	----	----	2	1	----	----	5	7	1	----	7	----	------	------	4	33	------	2	------
Drug laws	435	435	4	16	2	----	3	1	----	5	5	2	3	----	35	3	------	------	356	------	------	------	------
Gambling	402	402	27	41	9	13	3	2	2	----	31	25	8	5	41	14	------	------	181	------	------	------	------
Liquor laws	4	4	------	1	------	----	----	----	----	----	------	------	------	----	1	2	------	------	------	------	------	------	------
All other offenses	180	71	5	2	5	1	4	9	----	----	6	12	2	----	6	6	------	------	2	10	------	1	------
Total, pt. 2 felonies	2,371	1,825	119	104	50	25	52	42	6	13	104	105	56	30	154	43	------	4	554	354	6	4	------
Grand total	37,136	10,984	1,231	1,012	454	229	551	495	143	118	1,260	889	701	360	1,085	694	2	33	563	1,037	48	79	------

Crime clearance rates, by month, calendar years 1960, 1961, 1962, 1963, 1964, 1965, and 1966

CRIME INDEX OFFENSES [1]

Month	1960	1961	1962	1963	1964	1965	1966
January	51.5	61.1	51.4	44.2	34.4	27.9	28.3
February	60.8	61.0	46.3	46.3	47.4	44.7	24.5
March	69.1	42.1	45.1	54.7	35.9	45.3	24.6
April	65.3	42.8	48.8	51.0	43.2	27.7	26.8
May	62.8	53.4	52.3	39.8	52.2	38.7	32.6
June	78.0	45.8	49.6	43.7	43.9	30.5	36.7
July	58.7	48.7	48.6	39.4	39.0	28.4	23.2
August	62.1	59.8	38.5	36.5	37.8	25.2	------
September	52.7	57.8	46.0	45.9	43.6	26.6	------
October	59.7	46.3	47.3	35.5	31.5	28.2	------
November	54.2	46.2	38.1	37.1	27.8	18.6	------
December	40.2	49.1	33.1	27.0	30.6	23.0	------
Total	59.4	51.0	45.0	41.0	38.3	30.3	------

Crime clearance rates, by month, calendar years 1960, 1961, 1962, 1963, 1964, 1965, and 1966—Continued

PT. I OFFENSES [1]

Month	1960	1961	1962	1963	1964	1965	1966
January	46.5	59.7	57.3	44.0	36.4	29.9	29.8
February	50.8	58.0	46.8	46.8	47.0	46.0	27.2
March	57.2	41.7	46.1	50.1	37.0	45.8	25.2
April	52.5	40.5	45.7	47.6	43.1	30.3	27.8
May	49.1	49.0	48.1	39.6	49.0	40.1	30.9
June	56.0	45.0	46.2	42.3	41.4	31.4	35.3
July	54.1	46.2	44.8	39.4	38.2	29.4	29.9
August	38.9	50.2	36.9	35.5	38.4	26.2	
September	48.8	54.0	47.7	45.0	42.2	27.4	
October	53.4	43.3	47.8	36.5	36.6	29.3	
November	50.1	40.3	39.3	41.2	31.8	20.5	
December	40.1	47.8	36.9	31.6	33.4	24.9	
Total	49.7	47.8	45.0	41.3	39.2	31.5	

PT. I OFFENSES CLEARED, BY FISCAL YEARS

Classification	Percent cleared														
	Prior to Mallory decision [2]						After Mallory decision [3]								
	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966
Criminal homicide:															
(a) Murder	94.9	85.3	97.3	100.0	94.5	96.8	92.2	89.8	97.2	91.1	96.5	98.8	97.1	95.5	93.8
(b) Manslaughter	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0		100.0	100.0	100.0
(c) Negligent homicide	100.0	100.0	96.9	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	92.9	100.0
Rape	95.6	92.9	93.6	93.4	91.8	92.0	91.9	82.3	94.2	87.8	90.7	90.1	86.4	79.2	70.4
Robbery	70.5	58.6	57.5	63.3	59.2	54.8	61.3	65.0	61.9	52.7	50.2	47.5	44.9	39.3	35.6
Aggravated assault	82.2	81.3	85.1	88.5	86.8	88.8	84.3	88.2	84.9	79.9	79.9	81.3	81.0	78.3	73.6
Housebreaking	46.3	37.5	44.0	52.6	51.1	47.2	50.5	54.6	42.7	44.1	42.2	34.0	33.5	27.0	17.4
Larceny, theft:															
(a) Grand larceny	39.9	34.9	38.3	42.2	37.7	41.9	43.4	38.8	36.8	29.4	29.3	26.4	19.6	19.5	12.9
(b) Petit larceny	33.8	36.3	34.9	40.3	36.8	36.8	40.6	40.4	39.8	34.0	33.4	33.2	32.3	33.3	23.5
Auto theft	31.9	23.2	26.9	28.4	38.7	34.7	31.9	41.2	28.7	36.7	29.3	28.9	30.0	25.3	17.1
Total	49.3	46.0	49.4	55.6	50.2	49.5	51.0	52.5	48.3	44.7	43.3	40.9	38.1	34.1	26.3

[1] Includes murder, nonnegligent manslaughter, forcible rape, robbery, aggravated assault, housebreaking, larceny ($50 and over), and auto theft.

[2] Includes all crime index offenses and also negligent homicide, carnal knowledge, and petit larceny.

[3] *Mallory* v. *United States*, decided June 24, 1957.

AMENDMENT OF MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT OF 1966

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 16559) to amend the Marine Resources and Engineering Development Act of 1966 to authorize the establishment and operation of sea grant colleges and programs by initiating and supporting programs of education and research in the various fields relating to the development of marine resources, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PELL. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Chair appointed Mr. PELL, Mr. MORSE, Mr. NELSON, Mr. KENNEDY of Massachusetts, Mr. JAVITS, Mr. MURPHY, and Mr. FONG conferees on the part of the Senate.

ADJOURNMENT TO MONDAY

Mr. BYRD of West Virginia. Mr. President, under the order previously entered, I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 30 minutes p.m.) the Senate adjourned until Monday, September 26, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 22, 1966:

DEPARTMENT OF JUSTICE

Robert M. McRae, Jr., of Tennessee, to be U.S. district judge for the western district of Tennessee vice Marion Speed Boyd, retired.

POSTMASTERS

I nominate the following-named persons to be postmasters:

ILLINOIS

Henry W. McGee, Chicago, Ill., in place of H. H. Semrow, resigned.

KENTUCKY

Archie Slone, Pippa Passes, Ky., in place of Manis Slone, retired.

PENNSYLVANIA

Myra E. Taylor, Gastonville, Pa., in place of Edith Carter, retired.

Richard J. Evans, Peckville, Pa., in place of Benjamin Shaute, retired.

TENNESSEE

Maurice A. Peck, Jr., Charleston, Tenn., in place of J. C. Shelton, deceased.

TEXAS

Jewel M. M. Brooks, Hart, Tex., in place of Herbert Williams, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 22, 1966:

DEPARTMENT OF JUSTICE

Frank A. Kaufman, of Maryland, to be U.S. district judge for the district of Maryland to fill a new position created by Public Law 89-372, approved March 18, 1966.

Alexander Harvey II, of Maryland, to be U.S. district judge for the district of Maryland.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 22, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Open Thou mine eyes, that I may behold wondrous things out of Thy law.—Psalm 119: 18.

Eternal God, our Father, who didst lead our fathers through the wilderness into the promised land, we thank Thee for Thy providential care from that day to this. Thou didst guide them with a pillow of cloud by day and a pillow of fire by night, and caused them to dwell in the secret place of the most high. As Thou didst bestow upon them the blessing of Thy law, as Thou didst pour out upon them the gifts of Thy spirit, as Thou didst lead them in the way of Thy commandments—so teach us to follow in their footsteps that we, like them, may seek after truth, strive to deal justly, to love mercy and to walk humbly and reverently with Thee.

Grant, O Lord, that we may love Thy law and live Thy life that the benediction of Thy peace and the blessing of Thy presence may rest upon us and upon our Nation now and always. 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 without amendment a bill of the House of the following title:

H.R. 9976. An act to amend the act of September 2, 1964.

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

H.R. 14019. An act to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes; and

H.R. 15857. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 3510. An act to authorize the Secretary of the Interior to study the feasibility and desirability of a Connecticut River National Recreation Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes.

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

S. 293. An act to authorize the establishment of a public college of arts and sciences and a public community and vocational college in the District of Columbia;

S. 2709. An act to name the Veterans' Administration hospital located in Clarksburg, W. Va., the "Louis A. Johnson Memorial Veterans' Hospital";

S. 3485. An act to amend section 3 of the act of July 23, 1955 (ch. 375, 69 Stat. 368);

S. 3704. An act to provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York, N.Y.;

S. 3823. An act to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purpose; and

S.J. Res. 194. Joint resolution to authorize the President to designate October 31 of each year as "National UNICEF Day."

EXPEDITIOUS NATURALIZATION OF ALIEN MEMBERS OF THE ARMED FORCES

Mr. FEIGHAN. 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. FEIGHAN. Mr. Speaker, the United States today has almost 1 million men and women serving in our Armed Forces overseas. Almost half that number are serving in, over, or around the area of hostilities in Vietnam. They are engaged in the defense of free and democratic institutions in that troubled part of the world. They risk their lives and many have laid down their lives in that faraway land as a symbol of our resolution to punish aggression; and to give warning to other potential aggressors and hope to other potential victims that the cherished principles which are the cornerstone of liberty throughout the world will be defended.

Many of those who serve in our Armed Forces have not yet been granted citizenship in the country whose uniform they so proudly wear. In initiating steps to correct that situation, I have introduced a bill to permit the expeditious naturalization of alien members of the Armed Forces who have served or are serving during the current period of hostilities.

My bill will amend the basic Immigration and Nationality Act of 1952 by granting to members of the Armed Forces who have served honorably since January 1, 1963, the same exemptions from certain requirements of the naturalization laws as have been granted to veterans of World War I and World War II and the Korean hostilities.

My bill retains the essential requirements which relate to good moral character, attachment to the principles of the Constitution, and understanding of the English language, generally applicable to all who petition for U.S. citizenship. My bill eliminates the requirements of minimum age, periods of State or national residence, technical court jurisdiction, and the 30-day waiting period between petitioning and final naturalization.

Any person who was enlisted or inducted into the Armed Forces within the United States is also exempted from the general immigration requirement that he must have been admitted to the United States for permanent residence. Honorable current service or honorable discharge, if separated from the services, is also required of all applicants who are benefited by my bill.

Suffice it to say that it is altogether fitting and proper that we should do this. I will call up this legislation for consideration by my subcommittee next Wednesday.

PROGRAM FOR TODAY AND THE BALANCE OF THE WEEK

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, I take this time to announce a change in the program. On yesterday we had announced that if we finished the Reserve bill, we would add two bills for consideration today besides the one previously listed on the whip notice, the Chamizal Memorial Highway. We announced we were adding the Tijuana River flood control project, plus H.R. 12047, to amend the Internal Security Act of 1950.

In light of the fact that there is 2-hour general debate provided on the latter measure, and further in light of the fact that tomorrow is a very sacred day in the Jewish Congregation, and we had previously committed ourselves not to have a session on that day, we would like to announce that the latter bill will not be called up today.

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

Mr. BOGGS. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, does this apply to the rule upon the bill as well?

Mr. BOGGS. It applies to the rule as well.

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

Mr. BOGGS. Yes, I yield to the gentleman from Mississippi.

Mr. COLMER. Mr. Speaker, a parliamentary inquiry.

Under the rules of the House, as I understand them, this rule, House Resolution 1007, to bring up the so-called House Un-American Activities Committee bill, is a privileged matter, and if it is not programed, then the gentleman handling the rule or any member of the Rules Committee, may call it up as a privileged matter. Is my understanding correct about that?

The SPEAKER. The gentleman's understanding is correct. Of course, the question of recognition is with the Chair, where there are two similar preferential matters, but the gentleman's understanding is correct that after 7 legislative days a member of the Rules Committee could call it up.

If it were a question of recognition, if the same preferential status existed at the same time, recognition rests with the Chair.

Mr. COLMER. I thank the Speaker for his ruling.

Mr. Speaker, in view of that, if the gentleman will continue to yield to me, I should like to serve notice now on the majority leadership that if this resolution is not programed at a reasonably early date, I shall exercise that privilege as the one who is designated to handle this rule.

Mr. BOGGS. Mr. Speaker, I should like to announce further that the program for next week will be announced later in the day.

CONTINUING APPROPRIATIONS, 1967

Mr. MAHON. Mr. Speaker, I ask unanimous consent that it may be in order on any day next week to consider a joint resolution making continuing appropriations.

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

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, could the distinguished chairman of the Committee on Appropriations give us some idea as to how long this—what is it?—fourth or fifth continuing appropriation will provide for? Will it be 30 days, or

60 days? Just what does the gentleman have in mind?

Mr. MAHON. As the gentleman from Michigan knows, we have one regular bill for 1967 yet to come before the House—that is the State, Justice, Commerce, and Judiciary bill—and that is scheduled to be taken up by the House a week from next Monday, October 3. This clears all the bills except the final supplemental which will include funds for education, both elementary and secondary, and the antipoverty program.

The Committee on Appropriations will meet on Monday, September 26, and fix the date. This is something for the whole committee to recommend and report to the House.

However, I have consulted with the gentleman from Ohio [Mr. Bow], the ranking minority member on the Appropriations Committee.

It was agreed between us that we ought to have time to finish all our business with respect to appropriations, as of October 15, but in order to be a little safer, in view of the fact that all the bills could not possibly be signed by the President by that date, while the target for completing all bills would be the 15th we decided to suggest that the continuing resolution should extend until October 22, which would give time to the President to dispose of the bills when they reach his desk.

Mr. GERALD R. FORD. Mr. Speaker, will the chairman of the Committee on Appropriations yield further?

Mr. MAHON. I yield.

Mr. GERALD R. FORD. As I recall, in the appropriation bill for the Departments of Health, Education, and Welfare, and Labor, the House of Representatives excluded any funds for the National Teachers Corps. Am I correct in that statement?

Mr. MAHON. The bill for fiscal year 1967, as it passed the House, did not contain any funds for the Teachers Corp. It was included, however, in the continuing resolution, because the purpose of the continuing resolution is not to stop ongoing programs but to operate them at the minimum level pending final disposition in the regular bill.

Mr. GERALD R. FORD. Let me further ask the distinguished chairman of the committee: the continuation of expenditures for the National Teachers Corps in fiscal year 1967 appears to me to be a violation of the will of the House of Representatives. Is that correct?

Mr. MAHON. No, I cannot agree with the gentleman. The House earlier in this session approved funds for fiscal 1966 for the Teachers Corps. Those funds were carried in the Second Supplemental Appropriation Act, 1966, approved on May 13, 1966. The Congress has not stopped this program. The House has acted to stop it in fiscal 1967 in the regular bill. If the other body acts as the House did, that will of course stop the Teachers Corps program.

Mr. GERALD R. FORD. Does the gentleman from Texas know how much money has been spent in fiscal year 1967 for the Teachers Corps, such amount, of course, being contrary to the will of the House of Representatives? Could the chairman give us that figure as of yesterday or a week ago or some recent date?

Mr. MAHON. I did not anticipate the question and I do not have the exact amount available to me at the moment.

Mr. Speaker, upon inquiry, I am advised that obligations in fiscal 1967 for the Teacher Corps under the continuing resolution through September 30—estimated through that date—total approximately $835,000. We secured that figure by telephone from the Department.

It may have been obligated in opposition to the action of the House on one bill—the Labor-HEW bill—but it was spent in accordance with the wishes of the House on a previous bill when the money was originally made available. And, Mr. Speaker, I would add that the House concurred in the continuing resolutions that have been operative since June 30, 1966 and under the terms of which the Teacher Corps was authorized to continue.

Mr. GERALD R. FORD. I believe I ought to correct the RECORD a bit. The expenditures which were authorized by the Congress only involved through June 30, 1966. Let me ask the chairman this: At what rate are they spending? Are they spending at the rate in the President's budget, or are they spending at some reduced rate? Do they have these teachers all over the country on the basis of what the President proposed in January? On what basis are they spending?

Mr. MAHON. They are not spending at the rate of the President's budget—they are not authorized to do that. They are spending far below the rate of the President's budget, because they cannot go above the rate for fiscal year 1966, which is far below the rate in the President's budget.

Mr. GERALD R. FORD. Does not the chairman feel, in light of the action taken by the House, that they should not be continuing this program during this interim period?

Mr. MAHON. We have the traditional, conventional type continuing resolution, similar to the ones we have had from year to year under various administrations and various circumstances. The continuing resolution is not designed to stop programs or to initiate programs, but to permit continuation of programs which are in progress until both bodies of Congress take final action in due course in the regular bills. That is the situation in respect to the Teachers Corps.

Mr. GERALD R. FORD. I am personally very surprised that in the continuing resolution the House approves a provision which is completely contrary to the action taken previously by the House on a specific program. I do not understand it, I must say. I believe it might be wise—and it could be done, I suspect—that when the further continuing resolution is submitted here perhaps we ought to again seek to express the will of the House so far as this program is concerned.

Mr. MAHON. This matter can be discussed when the continuing resolution is before the House next week.

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

Mr. GROSS. Mr. Speaker, further reserving the right to object, may I ask the gentleman if this is the last of these continuing resolutions, and how many have we had this year up to this point?

Mr. MAHON. We had one for July and August, and one for September. This would be the third and I believe the last.

Mr. GROSS. Has it been determined, does the gentleman know, whether this session of Congress is to recess and come back as a lameduck session after the election? If so, then why not go on continuing until the last of the year?

Mr. MAHON. I cannot look into the crystal ball nor can I tell when the Congress may authorize the antipoverty program or when the Congress may authorize appropriations for the elementary and secondary education program, and so on. So, not being able to see into the future, I cannot say what will develop, but I certainly do hope that we may adjourn sine die by the 15th of October. But that is not my decision to make.

Mr. GROSS. Does the gentleman have any idea as to what happened to the President's statement of August 25, 1965, in which he said that Congress would be out of Washington by the beginning of this fiscal year, on July 1, 1966?

Mr. MAHON. I can only say that the President probably, like many of the rest of us, likes to look to the future with optimism. The estimate in this case was overly optimistic.

Mr. GROSS. There is nothing more pathetic than a disillusioned optimist.

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

There was no objection.

PLEBISCITE IN PUERTO RICO

Mr. O'BRIEN. 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. O'BRIEN. Mr. Speaker, 10 Members of the House, 5 Republicans and 5 Democrats, today have or will introduce a bill to provide for the admission into the Union, on an equal footing with the original States, of the Commonwealth of Puerto Rico. I do not know whether this can be described as a historic move. Only time will tell. However, I think it can be described as a significant move. There is no thought on the part of any of us to thrust statehood upon anyone, but if the people of Puerto Rico in their wisdom decide to apply for permanent membership in the family of American States, then I think that they are entitled, in expressing that choice, to know all of the doors in Congress are not sealed and that there is a welcome mat ready for them. With that knowledge I think they can vote more intelligently in their upcoming plebiscite. I can only say for myself that I am reformed. Eighteen months ago I was opposed to statehood. Now I am an ardent advocate of it, because I think in the long run of this Nation's history and

in the history of the world we are going to be much better off if those 3 million American citizens are cemented permanently to our side.

THE LATE ARCHBISHOP EDWARD F. HOBAN

Mr. SWEENEY. 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. SWEENEY. Mr. Speaker, I am saddened to report to the House the passing of Archbishop Edward F. Hoban, archbishop of the diocese of Cleveland, who for many years has served as spiritual shepherd of the Catholic people of northeast Ohio.

Archbishop Hoban came to Cleveland more than 25 years ago and during that period the diocesan growth was phenomenal. Under Archbishop Hoban's direction scores of new Catholic parishes were opened within the diocese, and many Catholic institutions were expanded throughout the area of northeastern Ohio. New orphanages, new infant care facilities, new nursing homes for the aged, and new treatment centers for those afflicted with the dread disease of cancer came into being.

Archbishop Hoban was more than just a spiritual leader of the Catholic population of his diocese, he was a community leader who understood the true meaning of the message of Mount Sinai and who lived his every day in accordance with the principle of the brotherhood of man under the Fatherhood of God.

His was a warm and engaging personality that will be sorely missed on the Cleveland scene. He possessed a ready wit and a sympathetic understanding for the plight of the underprivileged.

Archbishop Edward F. Hoban particularly was proud of the fact that during his service to the diocese of Cleveland the seminary facilities of the diocese were greatly improved and expanded, and as a consequence, many were drawn to the religious vocation.

His was a life of real fulfillment in the practical as well as the spiritual sense. He was a priest among priests and who earned by reason of his humility and his spiritual zeal the respect of the men of all faiths and from all other stations of life.

Archbishop Hoban was a man of humble beginnings who rose to the heights of achievement in life, but who never lost sight of his eternal destiny. His complete consciousness in life and, yes, his every action was directed and offered to his Heavenly Father.

The old Gaelic salutation, "Heaven Is My Home," so simple, yet so completely seems appropriate as we mourn the passing of Archbishop Hoban. A son of the Gael and a spiritual leader of tremendous dimension has gone home for his eternal reward. May he rest in peace.

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

Mr. SWEENEY. I yield to the distinguished gentleman from Ohio.

Mr. STANTON. Mr. Speaker, I would like to associate myself with the remarks which have been made by the distinguished gentleman from Ohio [Mr. SWEENEY].

Until this moment I had not heard the sad news of the death of our beloved archbishop.

Bishop Hoban was a personal friend of my family's and this news comes to me as a great personal shock. The archbishop's record as a builder of schools, churches, and hospitals is unparalleled in our times. He was endowed with a great love of youth and possessed great foresight.

In the district that I represent he spearheaded the spiritual growth of our religion by not only satisfying the spiritual needs of the present but always with the thought in mind of the needs of the next generation.

Archbishop Hoban's death is not only a loss to his beloved people in the diocese of Cleveland but also to the Nation as a whole. All that knew him were most fortunate that Bishop Hoban passed their way.

I extend to members of his immediate family my deepest and most personal sorrow.

Mr. O'HARA of Illinois. Mr. Speaker, my colleagues from Ohio [Mr. SWEENEY and Mr. STANTON] have paid tribute to Archbishop Hoban of Cleveland whom death had taken in the 88th year of a life of dedication and noble achievements. I associate myself with my colleagues in tribute to a great man and a magnificent churchman, of whom those at his birthplace were always proud.

Archbishop Hoban will be remembered in Chicago, Rockford, Ill., and Cleveland as a builder of schools, churches, and hospitals. His life was dedicated to religious and community service. The lives of both clergy and laity are richer because Archbishop Edward Francis Hoban has lived. Cardinal Mundelein of Chicago referred to him as his "right hand."

Like many of the Catholic hierarchy, he was the child of working class parents. His father, William Hoban, was a shoemaker. The boy, one of eight children, was educated in a Chicago parochial school, St. Ignatius High School. He studied for the priesthood at St. Mary's Seminary in Baltimore, to which he was directed by Archbishop Feehan of Chicago. Archbishop Quigley sent him to Rome for advanced studies in philosophy and sacred theology.

Upon his return from Rome, Father Hoban was assigned to the staff of Quigley Preparatory Seminary.

As a Chicagoan, I, therefore, associate myself with my colleagues from Cleveland in tribute to this great man whose influence will survive in the lives of all of us and whose monuments are the churches, schools, and hospitals built by Archbishop Edward Francis Hoban.

GENERAL LEAVE TO EXTEND

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that all Members who so desire have 5 legislative days in which to pay tribute to the memory of the late Archbishop Hoban.

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

There was no objection.

REPRESENTATIVE STALBAUM SUBMITS LEGISLATION TO PROTECT OUR LAKES FROM THE DEPREDATIONS OF POLLUTION

Mr. STALBAUM. 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 Wisconsin?

There was no objection.

Mr. STALBAUM. Mr. Speaker, I am submitting legislation today to protect our lakes from the depredations of pollution. While I am particularly concerned with the Great Lakes, this legislation, also authored by Senator GAYLORD NELSON, would include lakes in all parts of the Nation.

Titled the "National Lakes Preservation Act of 1966," the bill would authorize the Secretary of the Interior to make a nationwide lake study and recommend to Congress lake areas that would be included in a network of lakes under local, State, and Federal supervision. To be known as the National Lake Areas System, this coordinated approach would place major emphasis on pollution abatement, shoreline protection, and development of the recreational potential of the lakes themselves.

Deterioration of a lake accelerates as the amount of its privately owned shoreline increases. Today, only 5 percent of the total shoreline of the Nation's largest 250 natural lakes is held by governmental units and accessible to the public. It is clear that unrestricted development of lakes must be checked or the Nation will forfeit a vital part of its water supply. The National Lake Areas System would raise a protective umbrella over these lakes and the people and industries who depend on them.

An equally important feature of the National Lakes Preservation Act of 1966 is its provision for intensive study of the pollution problems lakes are prone to develop. The knowledge acquired through research into lake sciences would be used not only to ward off further degradation, but also to revive those lakes which have already succumbed.

A SIGNIFICANT STEP HAS BEEN TAKEN BY THE CORN REFINING INDUSTRY

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. MICHEL. Mr. Speaker, a significant step has been taken by the corn

refining industry through the Corn Refiners Association, formerly the Corn Industries Research Foundation. By adopting a statement of policy reflecting an understanding of the responsibility owed by the industry to the American farmer and by committing itself to efforts to educate the public to the importance of American agriculture, the association has made a progressive contribution toward the needed development of cooperation between the industrial and agricultural sectors of our economy.

I am personally pleased that the Corn Refiners Association is the first agriculturally oriented industry group to adopt such a posture because one of its leading members, Corn Products Co., operates substantial facilities in my district, at Peking, Ill. The corn refining industry produces virtually all of the cornstarch, corn sugar, corn syrup, corn oil, and hull and gluten livestock feeds manufactured in the United States.

Too often the American farmer has been treated as the stepchild of our economic system. He has been blamed for rising prices, although food prices actually have risen at a much slower rate than any other type of commodity produced. The consumer fails to appreciate that the farmer makes available the greatest supply of food at the lowest cost of any country in the world. Industry often fails to appreciate that a healthy agricultural economy, is the foundation upon which booming industrial production rests.

American agriculture enters a new era in the years ahead. Not only will domestic demand for agricultural commodities be rising sharply, but the farmer will be called upon to be the spearhead of our attack on hunger and starvation throughout the world.

If the American farmer is to succeed in these tasks he must have the support of the American public, and to achieve this goal the public must be informed of the importance of the role agriculture is playing and will be called upon to play in the future. The action proposed by the members of the Corn Refiners Association is a worthy first effort in this direction. They and their enlightened president, Robert C. Liebenow, deserve to be heartily congratulated.

CALL OF THE HOUSE

Mr. PELLY. 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. 299]

Abbitt	Ayres	Cameron
Abernethy	Bell	Carter
Adair	Betts	Conte
Albert	Bow	Cooley
Andrews, Glenn	Buchanan	Corman
Aspinall	Byrnes, Wis.	Craley
	Callaway	Davis, Ga.
Dawson	Kluczynski	Rivers, S.C.
Dorn	Long, La.	Rogers, Tex.
Duncan, Tenn.	McCulloch	Roncalio
Dyal	McDade	Roybal
Edmondson	McEwen	Rumsfeld
Edwards, La.	McMillan	St Germain
Ellsworth	McVicker	Scott
Evans, Colo.	Mackay	Senner
Farbstein	Martin, Ala.	Sickles
Farnsley	Martin, Mass.	Smith, Va.
Fisher	Martin, Nebr.	Stephens
Garmatz	Miller	Stratton
Gibbons	Mink	Teague, Tex.
Gray	Moeller	Thompson, N.J.
Hagan, Ga.	Morrison	Toll
Hanna	Murphy, N.Y.	Tuck
Hansen, Wash.	Murray	Tunney
Hays	O'Konski	Tuten
Hébert	Passman	Walker, Miss.
Hungate	Powell	Watts
Jacobs	Purcell	Willis
Keith	Rees	Wilson, Bob
King, N.Y.	Reinecke	

The SPEAKER. On this rollcall 343 Members have answered to their names, a quorum.

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

COMMITTEE ON BANKING AND CURRENCY

Mr. GONZALEZ. Mr. Speaker, on behalf of the gentleman from Texas [Mr. PATMAN], I ask unanimous consent that the Committee on Banking and Currency have until midnight, Saturday, September 24, 1966, to file a report on H.R. 17899, a bill to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, to increase the maximum amount of insured accounts or deposits to $15,000, and for other purposes.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, has this been cleared with the minority members of the committee?

Mr. GONZALEZ. The distinguished gentleman from Texas, the chairman of the committee, the Honorable WRIGHT PATMAN, had to leave the floor earlier but the gentleman has assured me that he has checked with the minority members.

Mr. GROSS. And, is there a minority report; and if so, is it to be included or does the gentleman from Texas know?

Mr. GONZALEZ. Mr. Speaker, if the gentleman from Iowa will yield, as I understand the matter it is included.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

Mr. GERALD R. FORD. Mr. Speaker, further reserving the right to object—and I apologize to the gentleman from Texas—I did not hear the request.

Would the gentleman from Texas renew the request?

Mr. GONZALEZ. This is the request on the part of the Committee on Banking and Currency to have until midnight Saturday, September 24, 1966, to file a report on H.R. 17899.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

VETERANS' PENSION ACT OF 1966

Mr. HALPERN. 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. HALPERN. Mr. Speaker, I was delighted with the House action Monday on H.R. 17488, the Veterans' Pension Act of 1966.

As a member of the Veterans' Affairs Committee, as a stanch advocate of the liberalization provided by this bill, and as a sponsor of even broader legislation in this field, I feel the overwhelming vote given this bill is most commendable. It is particularly significant that the adjustment provided in the bill comes in this calendar year. Those who depend upon fixed incomes have been seriously affected by the rising cost of living. Certainly we have an obligation to insure that the Nation's veterans and their widows, through the pension structure, are adequately protected.

Unfortunately, due to illness, I was not able to be recorded in the overwhelming vote of approval given this bill. In view of my intense interest in this legislation, I wish the RECORD to show, had I been able to be on this floor at the time, I would have voted an enthusiastic "aye."

I urge that the other body, to which the bill is now referred, act favorably before final adjournment.

POST OFFICE DELIVERY POLICY

Mr. CAHILL. 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. CAHILL. Mr. Speaker, the citizens of my district, and I think of the entire country, are concerned and upset by the present policy of the Post Office Department relative to mail delivery in new residential areas. The Post Office Department's present policy is to provide delivery service on a curbline basis in these newly developed areas rather than a house delivery. While the door delivery service existing at the time the policy was adopted has not been affected, thousands of new homes are affected and many of the residents are just not getting any mail service.

A dramatic example of the problem is illustrated in the community of Willingboro, N.J. An ordinance in the community prohibits the erection of mailboxes at the curbline. A regulation of the Post Office Department prohibits house delivery. As a result new residents are not getting any mail service.

I have talked personally to the Postmaster General and his staff on this demanding problem and have been assured that every effort is being made to resolve it promptly. While the Postmaster General attributes the problem basically to

a budgetary deficiency, I find it difficult to understand why the Post Office Department will be called upon to expend the amount of money estimated for the door-to-door delivery. It does not seem to me that so many millions of dollars must be expended in taking the mail from the curb to the door. However, even if there is additional cost involved and if it is substantial, there is no reason why this Congress and its authorized committees should not make available the necessary funds for the Post Office Department to bring equal mail service to citizens settling in new communities.

I also find it difficult, Mr. Speaker, to reconcile the national drive for beautification with the Post Office Department's drive to install all manner and form of mailboxes in new communities designed at considerable cost to preserve the esthetic values of community life.

I call upon the Postmaster General to take whatever steps are necessary immediately to correct this inequity and to remove this ridiculous regulation. And I call upon the appropriate committees of the Congress to investigate the needs for additional funds and to supply adequate money to carry out the necessary and existing services of the Post Office Department.

THE CHAMIZAL MEMORIAL HIGHWAY

Mr. WRIGHT. 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. 11555) to provide a border highway along the U.S. bank of the Rio Grande in connection with the settlement of the Chamizal boundary dispute between the United States and Mexico.

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

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Texas.

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. 11555, with Mr. CHARLES H. WILSON 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. The Chair recognizes the gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill is presented by the Committee on Public Works in response to a situation entirely unprecedented in the history of the United States. The bill would authorize construction of the Chamizal Memorial Highway along the U.S. side of the newly realined international border between the United States and Mexico, at El Paso, Tex., and Juarez, Mexico.

This highway would replace certain connecting street and road links which no longer can be used because they now lie outside the international boundaries of the United States. More significantly, it would connect three very busy points of international entry and exit to and from the United States with Mexico, at the busiest port of entry on the entire southern border of the United States. Some 60 million crossings occur annually at these points.

The bill is made necessary by the Chamizal Treaty entered into between this country and our neighboring Republic of Mexico, by which some 630 acres from the city of El Paso were ceded to Mexico, ending a long-festering dispute of many years concerning the legal boundary between our two countries.

In losing the territory, the city of El Paso lost certain roads and streets that connect with points of international entry, and in addition lost some $27 million worth of property from its tax rolls. The city further deeded to the U.S. Government without charge a parcel of municipal property, valued at approximately $250,000 for Federal use as a border station.

Ambassador Thomas Mann at the time of working out the details of a settlement with the citizens of El Paso, Tex., promised them that he would recommend to the Congress as an adjustment for their loss in tax revenues, as a replacement for the lost streets and roads, and as a long-needed connection between these points of entry on our border, such a highway as this bill now would authorize.

In 1963 and 1964, during hearings before our congressional committee on the international agreement and the enabling legislation, both Ambassador Mann and Boundary Commissioner Joseph Friedkin testified as to their belief in the need for such a highway and urged Congress to give favorable consideration to a bill such as this at the proper time.

The road, as envisioned in this bill, would traverse some 12½ miles, and the estimated cost would come to approximately $12 million.

The merits of the legislation are seen in the three considerations of need, fairness, and value to the United States.

First. Need for the highway is implicit in the fact that El Paso is the busiest port of entry on our entire border. Sixty million people cross annually at the three points which this road would connect. This number is equal to almost one-third the total population of the United States. It is three times as many as the number of tourists who come to Washington each year. This should give you a fairly good idea of the need.

The U.S. Border Patrol has said that the mobility of such a highway would assist in their patrolling of the border at this vital point. Such a highway was first proposed in 1927 but was incapable of being built through all these years because of the long-pending Chamizal settlement and the fact that the title to the land was clouded.

Second. A measure of fairness to the city of El Paso would be provided by the Federal construction of this highway through a part of the city. El Paso gave up 630 acres willingly and freely to cooperate with the U.S. Government in removing this festering sore of recurrent conflict between our country and the neighboring Republic of Mexico.

The city surrendered approximately $27 million of property from its tax roles in order to facilitate this settlement. This obviously represents a considerable annual loss to the city, and the provision of this highway will assist them in accommodating to this loss.

Ambassador Thomas Mann and U.S. Boundary Commissioner Joseph Friedkin both testified at the time of the hearings on the Chamizal Treaty in the House and Senate that they had promised to recommend such a highway to Congress at a later date. El Paso is under no illusion that these men could commit the Congress. But it is basically a question of keeping faith with these citizens who cooperated so fully notwithstanding the loss to the city.

Third. The value to the United States is unquestionable. The cost is small in comparison. At an estimated $12 million, it will come to only about 20 cents for each citizen who crosses the border at this location this year. And, it is a one-time cost.

It will provide a better flow of traffic, long and sorely needed, for these 60 million annual crossings. And it will greatly improve the first impression for the millions from Latin America who enter our country from that point for visits each year. El Paso is, for much of Latin America, a window to the United States. Moreover, it is an international city for many other official visitors.

There are 43 nations of the free world which train troops at Fort Bliss and the White Sands missile complex. The impression they get at El Paso is their impression of the United States. Mexico has underway a very impressive program of development at Juarez on its side of the border. At this point Mexican improvements come to about $8.8 million.

The bill has been recommended by the U.S. Boundary Commission, the Bureau of Public Roads, the Departments of Commerce and State. It is approved by the Bureau of the Budget, and was unanimously reported by our Committee on Public Works.

It obviously serves a true national need, as distinguished from a purely local need, and it seems to me that the most impressive and impelling fact of all is the fact of these 60 million crossings every year.

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

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

Mr. GROSS. I assume the gentleman is getting his figures as to the traffic from some official source.

Mr. WRIGHT. Quite so; from the U.S. Boundary Commission.

Mr. GROSS. From the U.S. Boundary Commission?

Mr. WRIGHT. Quite so, and I believe they are concurred in by the Departments of State, Treasury, and Commerce.

Mr. GROSS. I did not know that the Department of State was engaged in counting traffic.

Mr. WRIGHT. They apparently do, along with the Department of Commerce, maintain agencies that count and make numerous studies, including traffic.

Additionally, our customs officials keep accurate records of all crossings at our ports of entry.

Mr. GROVER. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, it seems that this highway has been promised by everybody except the Congress of the United States. I do not know when it was promised nor all the circumstances under which it was promised, but apparently we in Congress are cut in on the crash landing after the takeoff on the part of the President, Mr. Mann, and the Lord knows how many others. I resent this sort of a deal.

When this Chamizal Treaty business was before the Senate, Commissioner Friedkin, of the International Boundary and Water Commission, appeared to testify in behalf of it and all its implications. Senator SMITH said:

> Is $41 million-plus adequate to carry out the full terms of the treaty without any other request coming in?

Mr. Friedkin responded by saying:

> Yes, ma'am, and there is a limitation which the authorizing legislation places upon us of $44,900,000.

Evidently at that time Mr. Friedkin considered the door closed to any further expenditures. If you can rely upon the answer that he gave Senator SMITH, the deal was out and over on the basis of $44,900,000 then requested.

Where this $12 million request came in I do not know. At what later stage, how it got in, when it got in, I just do not know. But we are here today asked to spend $12 million on a superhighway that was never a part of the Chamizal Treaty and cannot now be made a part of the Chamizal Treaty because it was an issue that was never presented in its specifics to the Congress of the United States at the time the Chamizal Treaty was ratified and the money made available to carry out the terms of that treaty.

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

Mr. GROSS. Yes, I am glad to yield to the gentleman from Illinois.

Mr. COLLIER. Why would this not be in the regular Federal highway program, like any other project?

Mr. GROSS. That is an excellent question. The gentleman asks why this is not in the Federal highway program. I cannot answer it. Perhaps someone can.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

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

Mr. WRIGHT. In response to the gentleman's remark as to whether or not Congress was put on notice at the time of the treaty and enabling legislation, I believe it is quite clear from the recordings of the hearings that both in the Senate committee and in the House committee, both Ambassador Mann and Commissioner Friedkin responded very directly to questions that they did intend to come back and ask for this highway. If the gentleman will permit me, I shall quote from those conversations.

Mr. GROSS. I would rather the gentleman would do that on his own time. I yielded to the gentleman in the hope that he would answer the question of the gentleman from Illinois [Mr. COLLIER] as to why this is not a part of the Federal highway program.

Mr. WRIGHT. That is a fair question. The answer is quite clear and simple. It is a separate case, made necessary by an international treaty. As such, it would not come under the regular Federal aid highway program.

Mr. GROSS. If this was a part of the international treaty, why was it not so stipulated at the time?

Mr. WRIGHT. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. Yes, I yield to the gentleman from Texas.

Mr. WRIGHT. It was not and it could not be a part of the international treaty, because it applies wholly on our side, in the United States. We did not promise the highway to Mexico in the treaty. Therefore it has no part in the treaty. It was so stipulated, if the gentleman will yield further.

Mr. GROSS. The gentleman himself, in his presentation a few moments ago, spoke of the streets and roads within the city. I believe in the context of that reference, and the reference made to the streets and the roads within El Paso, that this is what was contemplated, and if anybody got an idea there would be roadways built, that it was in terms of streets and roads within El Paso, and not a superhighway to be built along the border.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GROVER. I yield the gentleman from Iowa 5 additional minutes.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. Yes, I yield to the gentleman from Texas.

Mr. WRIGHT. Number one, it really is not what the gentleman would call a superhighway, which is a six-lane highway. This is hoped to be a four-lane highway. We hope it will be an adequate one.

Mr. GROSS. That is a superhighway in Iowa. It may not be a superhighway in Texas, but it is a superhighway where I come from.

Mr. WRIGHT. Perhaps we ought not to get into the degrees of superiority, because I am sure the gentleman from Iowa yields to no man in that matter, but let me answer the gentleman with respect to his statement that this was not so stipulated at the time. It was indeed.

Mr. Mann, the Ambassador, in answering the specific question of Senator SPARKMAN, said:

> I consider this, in effect, a part and parcel of the project itself. I personally hope that in addition to providing the right-of-way, we can also provide for the City of El Paso a paved highway running along the top of this levee.

He was being questioned by the head of our committee, the gentleman from Alabama [Mr. SELDEN], on the House side. Mr. SELDEN said:

> Does the Senate bill, as presently written, comply with all agreements we have made not only with the Government of Mexico, but with the City of El Paso?

Mr. SELDEN is here and can respond as to exactly what the Congress was told in 1963 and 1964.

Mr. GROSS. Why would there then be a response from Mr. Friedkin that if $44.9 million was made available that amount would be all that he considered the treaty or agreement would cost the American taxpayers?

Mr. WRIGHT. Mr. Chairman, if the gentleman will yield further, Mr. Friedkin was there, and did communicate.

Mr. GROSS. I cannot believe Mr. Friedkin did not communicate with Ambassador Mann.

Mr. WRIGHT. But he did. They were there together, both Friedkin and Ambassador Mann testified that they would come back and ask for the highway.

Mr. GROSS. If Friedkin was dealing off the top of the table, why then did he say this is it, this is the deal?

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

Mr. GROSS. I should like to say one or two other things, and then I will be glad to yield to the gentleman.

Let me ask this question: Will this super highway provide an avenue to the Tijuana Racetrack?

Mr. WRIGHT. The gentleman is perhaps better informed about the location of the Tijuana Racetrack than the gentleman from Texas, but I believe it is in California.

Mr. GROSS. I say to the gentleman, the last time I saw El Paso, Tex., was in 1917 when I was on the way overseas.

I should still like to have an answer from somebody as to whether the traffic to a racetrack will go over this highway.

Mr. WRIGHT. If the gentleman will yield, and if that is a serious question——

Mr. GROSS. It is a serious question.

Mr. WRIGHT. Let me suggest that the Tijuana Racetrack is about 1,000 miles from El Paso.

Mr. GROSS. What is the race track there? Is it at Juarez?

Mr. WRIGHT. I am not familiar with the racetrack at Juarez.

Mr. GROSS. Is there a racetrack at Juarez?

Mr. WRIGHT. I would say there may be a bullring or there may be a racetrack. There are some hotels. There are some restaurants.

Mr. GROSS. I must admit that I do not know the racetracks very well because I do not bet on the "bobtails." I still would like to know whether the high life around El Paso, Tex., and that area of Mexico is to be served by this four-lane highway?

Mr. WRIGHT. Let me assure the gentleman that if there is a racetrack or a bullring, there is no connection with the highway.

Mr. GROSS. Nobody would travel this super highway to get there? It would be closed to those seeking fun,

sport, and amusement in Mexico, is that correct?

Mr. Chairman, this bill came up under a suspension of the rules a short time ago and failed to get the necessary number of votes to pass. I hope that the House today will turn it down again.

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

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

Mr. COLLIER. I still have not gotten an answer which accommodates me as to why this cannot be put in the interstate highway program. As I understand from what has been said, this is an agreement, the gentleman said, with the city of El Paso. I did not suppose we could make an international agreement with the city of El Paso. Was it in the international agreement with Mexico, not as a tail onto the original agreement? This is what I am trying to find out.

Mr. GROSS. It was certainly not a part of the Chamizal Agreement or Treaty.

Mr. COLLIER. It was not?

Mr. GROSS. It was not.

Mr. COLLIER. It was an agreement with El Paso subsequently?

Mr. GROSS. This was a side deal, apparently, from what the gentleman tells us. This was a side deal entered into by Mr. Mann and Mr. Friedkin, the latter Commissioner of the International Boundary Commission, and apparently approved by another Texan, Lyndon Johnson.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

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

Mr. DON H. CLAUSEN. I believe on page 5 of the report there is included the letter from Douglas MacArthur II, Assistant Secretary of State, which fairly well spells out what is at stake here. It says:

> Of these projects, only the special compensation and the highway had been proposed at the time of the negotiation of the Chamizal settlement. Civic leaders of El Paso proposed the highway when Thomas C. Mann, then Ambassador to Mexico, and Commissioner Friedkin, U.S. Commissioner on the International Boundary and Water Commission, first discussed the Chamizal settlement with them.

This is the key point:

> A highway along the new channel of the relocated river came to be discussed as an integral part of the Chamizal project.

That is in the letter from Douglas MacArthur II.

Mr. GROSS. That just adds MacArthur's name to the list of those who were playing around under the table with this $12 million highway. That is all that adds to this record.

I would hope that the Members of the House, in view of President's Johnson's call for cuts in Federal spending, and in view of the fact that the Highway Commission of the great State of Texas would have no difficulty, I am sure, in designating this as an interstate highway or as a State highway, will vote down this proposal. I cannot think of anything better that the oil rich State of Texas could do at this time than to make available the $12 million for this highway and take it off the backs of the Iowa taxpayers, Illinois taxpayers, and Mississippi taxpayers.

Mr. WRIGHT. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Alabama, the chairman of the Subcommittee on Latin American Affairs of the House Committee on Foreign Affairs [Mr. SELDEN].

Mr. SELDEN. Mr. Chairman, the distinguished gentleman from Texas [Mr. WRIGHT] referred to the hearings on the channel implementing legislation that were conducted by the Subcommittee on Inter-American Affairs.

In his appearance before the subcommittee on February 27, 1964, Assistant Secretary of State Thomas C. Mann referred as follows to a proposed highway:

> In the discussions of a possible settlement with the citizens of El Paso, we spoke about the possibility of a highway on top of the levee following the proposed new river channel. I said I would support such a highway. I understand that it is now under study by the Bureau of Public Roads and the authorities of the State of Texas.
>
> The right-of-way to be acquired under the pending bill for the levee would provide the right-of-way required for the highway. I hope very much that the Congress will later approve a paved highway running along the top of this levee practically as a feature of the re-located channel.

In the following exchange between me and Secretary Mann, he again referred to the proposed highway.

> Mr. SELDEN. Is the bill that was passed by the Senate and now before this committee fully in accord with the recommendations that have been made by the Department of State and does it carry out all our agreements with Mexico and also with the city of El Paso?
>
> Mr. MANN. It does, with the exception of the city of El Paso, as I stated in my statement here. I did tell the people of El Paso that, while I couldn't commit the Congress, I would recommend to the Congress for its consideration the construction of this highway.

Mr. Chairman, I think it is perfectly clear that Secretary Mann put the subcommittee on notice that he would recommend to the Congress for its consideration the construction of a highway in the city of El Paso, Tex. As he stated, however, he could not commit the Congress—thus, the necessity for this bill.

Mr. GROVER. Mr. Chairman, I yield such time as he may require to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I think the question concerning whether or not this body should pass this bill today and the questions which have been raised by Members about the bill are very interesting ones. I think the action that should be taken here today should be one properly judged and one rightly based upon the equities involved. As one reads the statements of Mr. Mann in his negotiations on the Chamizal Treaty at the time of those negotiations, and of the distinguished gentleman from Alabama [Mr. SELDEN], serious questions come to mind and interesting points are raised. Mr. Mann, who was then Ambassador to Mexico, said he would recommend to the Congress that this so-called memorial highway be built but he also pointed out that he could not commit the Congress of the United States, obviously, to such an authorization. So it is, therefore, up to this body to decide, as I see it, what are the equities involved here. I do not see in Mr. Mann's suggestion that the Federal Government of the United States, even if this highway is authorized, should pay 100 percent of the cost. Mr. Mann did not even suggest that the Federal Government bear the total cost of the highway. I shall offer an amendment at the appropriate time to require that the State of Texas or the city of El Paso agree to pay not less than 50 percent of the cost of constructing this highway, exclusive of all costs of acquiring the right-of-way and preliminary engineering, because I think it is more consistent with the equities involved here than are the provisions of the bill, as reported. The amendment will reduce the Federal share to $8 million, leaving the State or city with an expense of only $4 million. I think if the Federal Government paid the cost of acquiring the right-of-way for the reason that there has already been acquired all but 4 miles of the needed right-of-way which already acquired right-of-way is already available for Government use, and for the reason that this additional 4 miles is needed for a spoil bank along the new channel that is going to be dredged to stabilize the Rio Grande, as appears on this map of the area that the gentleman from Texas has displayed. Inasmuch as the Federal Government is going to need a spoil bank area immediately adjacent to the river channel in which to place the dredged material, this seems only a fair approach. I think it is fully justified that the Federal Government should pay for the acquisition of the necessary rights-of-way to accomplish this. Incidentally, the dredged material can serve as a roadbed for this highway.

Mr. Chairman, the administration witness testified before the Subcommittee on Roads of the Committee on Public Works on June 28 that the total estimated cost of this proposed highway of $12 million is attributable to approximately $2.6 million for right-of-way, $9.1 million for construction, and $0.3 million for preliminary engineering.

Under my amendment, which I will offer at the appropriate time, the Federal Government would pay for the right-of-way acquisition, the preliminary engineering, and 50 percent of the cost of construction. I think this is most generous on the part of the Federal Government. It is a greater share than would exist under the provisions of statutes and regulations on the Federal-aid primary, secondary, and urban systems. Surely, the State of Texas and the city of El Paso, at least one of those entities, should be willing to pay $4 million of the costs of this highway, unless they are just trying to get everything they can from the Government in Washington.

I repeat, Mr. Chairman, that I believe the Federal Government should assume the responsibility of paying the cost of providing the roadbed with dredged materials.

This obviously leads to the question as to what the Federal cost, as compared to the State cost, should be with respect to the surfacing of that roadbed. As

I have just stated, the construction of the highway is estimated to be $9.1 million. Exclusive of this figure are additional expenses of right-of-way acquisition in the amount of $2.6 million and preliminary engineering in the amount of $300,000.

Mr. Chairman, we are, therefore, talking about what the cost-sharing should be with respect to the $9.1 million cost of the construction of the highway.

Mr. Chairman, let us now examine the inequities.

Based upon the equities, I say there is not a 100-percent Federal requirement. However, I would concede, based upon the equity, that the same formula that is presently in existence with regard to primary, secondary and rural roads for a 50–50 responsibility for construction should be applied in this case, with the Federal Government paying 100 percent of the cost attributable to right-of-way and preliminary engineering.

Why do I believe there is that inequity? This question is the basic issue pending before us today.

There is some inequity in the position to ask, notwithstanding the fact that we have a court-decided issue on the Chamizal—claims by Mexico that the city itself and the State did not see fit to build a major highway in that area, because they felt they could not, because it was a territory. That is an inequity on the side of the State as to why they did not act before.

The second consideration on the basis of equity is that the city has lost some taxable property. The natural question follows as to how much and what value has been lost. The record shows that the value of the property that has been lost, according to the statement of the chairman of the subcommittee, will be a loss of approximately $27 million of property from its tax roll.

Mr. Chairman, I am not going to talk at this point of the inequities involved and of the people who are to be removed and paid through the purchase of new housing elsewhere which was provided for in other legislation.

Mr. Chairman, let us take that one question alone and assume that all of that loss of property resulted in a tax base loss for the sake of discussion on the issues involved.

Based upon an estimated value of the poverty of $27 million and based upon the city of El Paso's 30-mill tax base, we are talking about only an $81,000 annual income loss to that city.

Mr. Chairman, if my formula is accepted, with the Federal Government paying $8 million of the cost of this highway and the State paying approximately $4 million, which would be the result of the formula I am proposing, we would, in effect, as a Congress, be amortizing for 100 years the $8 million at the rate of $81,000 per year loss. I believe that is reasonable. I do not know how anyone could suggest that there would be a greater Federal responsibility than that.

Now, Mr. Chairman, let us examine the other equities of the situation.

The question of the need for the highway for use by the Federal Government or by persons who may want to cross this border in these two areas, at the terminal ends of the proposed highway, is the traffic questionable because it has been estimated to be 6 million cars. I question that figure, because I believe it is obvious that everyone going across the border does not want to travel this highway, for they are going straight for the border.

I do not think you can use that figure in determining that this is a major traveled highway with supposedly 6 million cars using it.

I would say in evaluating all the equities and recognizing that perhaps El Paso had reason to believe because of Mr. Mann and others giving them informal assurances that someday the Federal Government would authorize this highway that in my opinion the manner in which this should be handled, particularly in view of the fact that there has been already $54 million spent by the taxpayers under the law of April 29, 1964, in the Chamizal Treaty agreement and $2,060,000 paid for the sole benefit of the city of El Paso and Texas for the authorizing and development of the Chamizal National Memorial on June 30, 1966, of this year is to adopt my amendment. Weighing all of these equities, I do not think anyone can reasonably say that if the Congress provides an $8 million Federal participation as compared to $4 million, using the same 50–50 matching formula for the construction of the highway itself that there would be any injustice done to anyone be it the people of El Paso, the State of Texas, or the taxpayers of the United States of America.

Therefore, I am proposing, in the form of an amendment at a later moment this compromise version of the proposition that is before the House. Recognizing that perhaps there are some inequities and trying to put the finger on those inequities, I think my amendment would probably do the job.

I would say further that if some reasonable formula is not adopted of this nature, then I shall vote against the bill because I do not think the taxpayers should be saddled with it and that there is justification for them to be saddled with paying 100 percent of the cost of this highway.

Mr. WRIGHT. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. WHITE].

Mr. WHITE of Texas. Mr. Chairman, this is a privilege for a Congressman to have the opportunity to address the House on a matter so urgently wanted by his home community and one that is so justified by the equities involved.

Mr. Chairman, it is a matter of history that this international road has been sought since 1927. It is also a matter of history that this construction was prevented by an obstacle in the hands of the United States and Mexico.

For 100 years there has existed a land dispute between the United States and Mexico over the ownership of this Chamizal land. It was not settled until 1964. This dispute caused El Paso's growth to be strangled, in this southern portion of the city. El Paso could not build this highway. They could not even properly develop the very heart of their downtown area because the dispute left this land in limbo.

When a settlement was finally reached, this very historic part of El Paso was exchanged to Mexico. A net of 427 acres comprising the part of the downtown natural growth area of El Paso was lost. The people of El Paso accepted this irretrievable loss for several reasons. Our lives are entwined in international good will and we believe in the need for good international relations.

The U.S. Government came to the people of El Paso and asked them to accept this settlement for the higher purpose of international relations, to remove the great stigma that has balked negotiations of the United States over the years.

It was to say to the people of El Paso, "Your fellow Americans are asking you to give up a net of 427 acres of land in your growth area; to relinquish $320,000 of annual taxes and to displace 5,500 residents."

What did El Paso ask for in return? They are not asking to build a whole new part of their city. They are asking that this road be built.

El Paso did not even receive reimbursement for 7 miles of roadway that they lost as well as the road that was lost along the levee.

Although it is an international border, El Paso is not asking that the United States maintain it hereafter, but they say the State of Texas and the city of El Paso will maintain it hereafter.

That is what we are asking for, for 427 acres, our $320,000 of tax revenues and our 5,500 lives that have been changed.

El Paso, upon notice of this treaty, even donated a $250,000 tract of land for the displaced border patrol facilities.

This plan was developed for very real reasons in the best interests of the United States. The Bureau of the Budget has approved this program; so has the Bureau of Public Roads, the State Department, the International Boundary Commission, and the Commerce Department.

The figure stated is only an authorization and includes acquisition costs. It is not an appropriation. It can never be done more cheaply than right now, because it can be built simultaneously with the construction of the levee on the river, as has already been mentioned. Any delay would be costly.

El Paso is not asking for a Federal handout. This highway will serve a very important purpose. As the gentleman from Texas [Mr. WRIGHT] said, 60 million people every year cross the border at El Paso. That is one-third the population of the United States and is more than the number of people by three times who come to Washington, D.C., each year. These are your constituents who are visiting El Paso throughout the year. Not only would this highway allow free flow in the very southernmost part of our city that has been stymied all these years but, more importantly, it would connect every international port of entry in the city of El Paso, in furtherance of our good international relations, and for more efficient law enforcement along the

border, which is the responsibility of the U.S. Government.

This highway serves an even more subtle purpose in an era when we are the example to the world of our strength and the attributes of freedom; we are the symbol of strength, international comity, and progress.

Many of you may not have been to El Paso, but may I assure you that for hundreds of thousands of people throughout the world El Paso is the only impression and memory that they have of the United States. El Paso is the window to much of the free world and Latin America. For years the people of El Paso have tried their best to fulfill the awesome privilege of making friends around the world for this Nation.

For example, since World War II, over 43 nations have been training their troops in missile defense at El Paso. Their leaders come to see how these particular programs are faring. They have been welcomed into our homes and we have tried to impart to them our American way of life. The State Department has brought dignitaries to El Paso to show them international good will in action.

We feel we would like to continue to carry this work forward, and we ask for your support of the bill.

Our relations, the relations between the United States and Mexico, are at their best. We have no recriminations. Every day we practice neighborliness. and bind the ties of friendship. That is why we understand the higher purpose of the Chamizal Treaty. The people of El Paso have subordinated their own wishes. In expression of this monumental treaty, that was made without duress, Mexico has already started and has almost completed over $8 million of beautification programs on its side of the border, and they have many more plans. As the leader of the free world, we cannot be derelict in the beautification and development of our own border.

We now ask for your help. Thank you very much.

Mr. GROVER. Mr. Chairman, I yield myself such time as I may use.

I share with the gentleman from Iowa regret that the anticipation of the request for funds for this highway was not shown or indicated in the original debate in this House on the funding of the Chamizal Treaty.

However, I also agree with the gentleman from Florida [Mr. CRAMER] and all of the members of the subcommittee sitting at the hearing that there are substantial equities here to be observed. I think the one which convinces me most is that there is a singular obligation on the part of the U.S. Government that in condemning this land and taking the land from the city of El Paso, we are taking $27 million of taxable base in perpetuity, and that represents a substantial amount of money over the years.

For that reason, Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, I have no further requests for time.

Mr. KEE. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. Mr. Chairman, I yield to the gentleman from West Virginia.

Mr. KEE. Mr. Chairman, I rise to enthusiastically support H.R. 11555, and highly commend the distinguished floor manager, the gentleman from Texas [Mr. WRIGHT] for the effective manner in which he has presented the merits of the bill which is now under consideration.

In conclusion, Mr. Chairman, I respectfully call the attention of the Members of the Committee to the fact that when this bill was considered under the suspension of the rules, we did attain a substantial majority. While it was not the two-thirds vote that was necessary, the fact remains that the majority of the House voted in favor of this bill. I therefore respectfully urge that this bill be passed in its present form without amendment.

Mr. WRIGHT. I thank the gentleman.

Mr. Chairman, I have no further requests for time.

Mr. CABELL. Mr. Chairman, in enthusiastically supporting this very worthwhile project, I do wish to call attention to one item that needs clarification for the RECORD.

This is the wording on page 2 of the bill naming the State highway engineer as the project engineer. I am advised by members of the committee that this is not intended to preclude the State engineer from commissioning a private engineer or firm of engineers to do this work under his supervision.

I am further advised that this wording is not to be construed as setting a precedent wherein other public works involving Federal funds would have to be engineered and designed "in-shop" to the exclusion of qualified private engineers.

I urge the support of my colleagues for this authorization which only partially compensates the city of El Paso for its losses incurred as a result of the Chamizal Pact.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 11555

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce, hereinafter referred to as the Secretary, is authorized to (1) construct a border highway in the city of El Paso, Texas, between the approximate point of the beginning of the rectified boundary channel, two blocks west of Sante Fe Street in El Paso, thence along the international boundary to the International Bridge at Zaragosa Road—about twelve and one-half miles east: *Provided,* That the design plans and specifications for this highway shall be developed to meet design and construction standards established by the Secretary; that the Secretary may work through the Texas State Highway Department in accomplishing any part of this project; that the planning, design, construction schedule, and works shall be subject to review by the United States Commissioner, International Boundary and Water Commission, United States and Mexico, to assure coordination with the relocation of the river channel and relocation of related facilities, pursuant to the American-Mexican Chamizal Convention Act of 1964 (78 Stat. 184): *And provided further,* That the Secretary may at his discretion request that the United States Commissioner, International Boundary and Water Commission, plan and perform such part of the engineering and construction of the highway as may be warranted to assure coordination and efficient construction, and the Secretary may transfer to the Secretary of State funds necessary for such purpose; (2) acquire lands necessary for the border highway in accordance with the approved plans, through the United States Commissioner, International Boundary and Water Commission: *Provided,* That the provisions of the American-Mexican Chamizal Convention Act of 1964 (78 Stat. 184) for the acquisition of lands for the purposes of that Act will also apply to the acquisition of adjoining lands required for the border highway, and the Secretary may transfer to the Secretary of State funds necessary for such purposes.

SEC. 2. There is hereby authorized to be appropriated from the general fund of the Treasury a sum not to exceed $12,000,000 to carry out the provisions of this Act.

Mr. WRIGHT. Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. The Clerk will read the first committee amendment.

The Clerk read as follows:

On page 3, after line 2, insert the following:

"SEC 2. The Secretary is authorized to convey all right, title and interest of the United States in and to the highway authorized to be constructed by this Act to the State of Texas or the city of El Paso, Texas, except that the Secretary shall not construct any highway under authority of this Act until such time as he shall have entered into an agreement with the State of Texas or the city of El Paso, Texas, wherein such State or city agrees to accept all right, title and interest to the highway upon completion of construction and agrees to maintain such highway for such period and in accordance with such terms and conditions as the Secretary determines necessary to protect the interests of the United States."

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. CRAMER: On page 3, line 10, after the word "city" insert the following: "agrees to pay not less than fifty per centum of the cost of constructing such highway, excluding all costs of acquiring the right-of-way and all preliminary engineering costs, and".

Mr. CRAMER. Mr. Chairman, I do not intend to go over the entire discussion we just had in the general debate relating to the bill, at which time I announced my intention to offer this amendment. Let me just capsule those remarks as follows:

I recognize that there is equity in the position of the State of Texas and the city of El Paso. Mr. Mann, who suggested that he would recommend a highway to the Congress, did not say—and I do not think he in any way implied that he did so—that this bill be authorized as a highway by Congress—that he at the same

time said it should be a 100 percent Federal-cost highway.

The highways generally authorized by the Congress are either 90–10 percent under the interstate or 50–50 percent under the Federal aid primary, secondary, and urban systems.

The question is: Which could this qualify as? In my opinion it could easily qualify as a primary highway. Inasmuch as it connects two highways, if the State so designated, it would probably be made a part of the primary or urban system without any problem.

If the road were constructed as a part of the regular system, it could also qualify for the State's share of the cost out of the State's allocations in the future for primary, secondary, or urban construction.

How much does the State of Texas get annually out of which this approximately $4 million could be paid under normal circumstances? We are talking about a $4 million State share, $8 million Federal share. Is that not a reasonable formula? It is 2 to 1. The Federal Government pays for acquisition of the right-of-way and for putting the spoil, or foundation of the highway, next to the river to be dredged, and the Federal Government pays 50 percent of the cost of construction. Is that not reasonable?

It makes the State of Texas look peculiarly irresponsible in making a request for this special highway, when one considers that the State's apportionment for 1967 of Federal-aid highway funds already authorized is as follows: Primary highway system, $27,709,368; secondary or feeder roads, $17,530,458; urban highways, $13,893,673; and Interstate System, $148,784,250. Excluding the Interstate System, the State of Texas then gets still over $59 million for 1967, and will probably get more for 1968. With all of that money available in the State of Texas, it is peculiar why it did not construct the highway in the first place.

I want to stress this: This Federal participation of 50 percent of the cost of construction, would not come out of the State's present allocation I just read, but would be in addition. So the taxpayers in effect would be putting up $8 million to recognize fully, I believe, what the equities are with respect to the State of Texas and the city of El Paso in this situation—but not the 100 percent, because I do not believe there is a 100-percent Federal responsibility.

This figure was arrived at not only from the 50–50 matching formula, but it is conceded that because of the loss of property—that is, the principal point of equity on the part of the city of El Paso—this has resulted in a loss of $27 million of taxable property.

I assume that the rate of taxes in El Paso is approximately 30 mills.

Mr. WRIGHT. Mr. Chairman, if the gentleman will yield, to correct the record, that assumption is far, far in error.

Mr. CRAMER. Does the gentleman know what the millage is?

Mr. WRIGHT. It is undoubtedly at least $1.75 per hundred or 1.75 cents rather than 30 mills per dollars of evaluation. It may be as high as $2.50 per hundred, as in many Texas cities. It would be at the very least approximately six times what the gentleman says. I am not certain precisely what it is at the moment, but I am quite certain that it has been at least that much in very recent times, and that is the standard practice in Texas. The property in the Chamizal area was not yielding only $81,000 to the city, as the gentleman indicated earlier, but probably more like $300,000 a year.

Mr. CRAMER. I am glad to concede the point.

Assuming the gentleman is correct, then the loss of taxes over a period of time, if amortized to the tune of $8 million, would amortize at approximately a 15- or 20-year period.

The questions are: Is that reasonable? Is that not adequate equity recognized by the Federal Government?

I would suggest to the gentleman, I believe this is a fair and reasonable proposal, particularly in view of the fact that the taxpayers already have spent $44.9 million under Public Law 88–300 in 1964 to carry out this treaty, and that the city of El Paso has spent $2,060,000 for the development of the Chamizal National Memorial in the city of El Paso.

I am sympathetic with what the gentleman attempts to do, but I say that the justification for putting an expressway highway between these points going across from the United States to Mexico is not sufficient, so far as the interstate users are concerned or the international users are concerned or the border patrol use is concerned or the Military Establishment use is concerned, to call for a 100-percent Federal contribution. That is my point.

I trust my amendment will be adopted.

Mr. HOWARD. Mr. Chairman, I rise in opposition to the amendment.

This amendment, which would take $4 million away from the construction of this needed highway, might make the entire road impossible.

The gentleman from Texas [Mr. WHITE] has stated that more than 7 miles of roadway which had already been constructed has been given away. This is a roadway to which the city and the State participated, in regard to construction funds.

They are being told now, "If you want this additional highway to make up for the one we gave away, we will build only a part of it and you will now have to come up with another $4 million."

It is being assumed that the Federal Government's completely contributing to the building of a highway is something without precedent. I point out that this has had precedent many times over.

Several hundreds of miles of federally constructed highways, built wholly at Federal expense, are in our national parks. Thousands of miles of completely federally built roads serve our national defense installations. The Federal Government even has constructed highways to serve private contractors who are engaged in work of one type or another for the Federal Government.

There is an excellent example of a road built wholly at Federal expense nearby. This is the highway to the Dulles Airport. In contrast with the present proposal, in fact, the Dulles Highway costs the Government for continuous maintenance. However, this highway is a one-time expense for the Federal Government. All maintenance and other expenses in the future will be taken over by the State of Texas and by the city of El Paso.

The Dulles Highway, I might point out, was a completely Federal road. It cost a great deal more than this Chamizal Highway and serves many fewer people. In the first 3 years the Dulles Highway carried fewer than 3 million people. It is estimated that this new highway will carry per year 60 million people. That is over three times as many persons who annually visit the great city of Washington, our Nation's Capital. If we bring this down to a per user cost, the taxpayers paid $5 for each passenger using the Dulles Highway in the first 3 years of its operation, and the Chamizal, by way of a comparison of cost, will only represent about 7 cents for each international passenger who can be expected to use it in its first 3 years. A highway was constructed here in good faith with the cooperation of the city of El Paso, the State of Texas, and the Federal Government. This was given away. They were not paid back for it. We are now telling them that if this is to be replaced, then you have to come up with $4 million. It is just not fair, and I urge the House, therefore, to oppose this amendment.

Mr. BLATNIK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not have anything to contribute by way of further factual presentation that has not already been presented by both sides. However, I do think that some consideration should be given to the fact that a situation arises here because of a longtime dispute between two nations, a situation which was neither the doing nor the choosing of either the city of El Paso or of the city of Juarez, just across the border. I know both cities well. During World War II we trained at Rattlesnake Air Base in western Texas, I say to the gentleman from Iowa [Mr. GROSS], and once a month we were able to go on leave to make a trip to those cities. Now, here is a situation, this dispute between these two nations, which is neither of their choosing nor of their doing. These two cities on each sides of the border, El Paso and Juarez, did not create this situation, neither did the State of Texas or the Province of Chihuahua.

Mr. Chairman, I would like to approach this a little from the standpoint of personal courtesy and the standpoint of having a little respect for the other fellow, for your neighbor. I saw only very recently what the Government of Mexico has done on their side of the newly agreed-upon bundary. You will not see

these pictures clearly from far away, because they are small. However, it will give you a good idea. Here is a picture of a four-lane divided modern highway which leads up to the border of the United States with Mexico. Try to imagine an American visitor coming down into Mexico over this modern freeway which is already built or in the process of completion. As one drives south, you come to a circle, which you can barely see at the bottom of this picture, but it is enlarged at the top of the other picture. This is a large circle, just as we have at Dupont Circle here in Washington. In the center of that circle is a statue of one of our great Presidents, Abraham Lincoln.

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

Mr. BLATNIK. I will be glad to yield, and I always yield to my friend from Iowa if I can just complete this statement.

What a wonderful tribute this is and what a wonderful reception to our people by these friendly neighbors to the south in extending a friendly hand of welcome to their neighbors from the north. That is the reception that they give to Americans who come down to visit their country. And look at the facilities. Here is a historical and cultural museum with art displays of great value where our children can learn about the Aztecs and other early civilizations of that country. They have halls for museums and for conventions and industrial exhibits and facilities for the smooth and expeditious flow of customs and immigration and naturalization activities. Some of this is still in the process of completion, but much is already completed.

So, Mr. Chairman, I believe the expenditure of $12 million is a modest amount which will bring about a much greater return, especially in better relations and better feeling between Mexico and the United States.

Mr. Chairman, I believe we should dress up our front door, too, so that when a Mexican tourist comes to the United States, he is welcomed and greeted in the same bright, cheerful, and delightful manner as are we who enter Mexico. Let us dress up our so-called front door into the United States.

Mr. Chairman, I was taught as a little boy—and I came from a modest family. Mr. Chairman, when visitors came to see us, we put on our best and neatest clothes, even though modest. To show off? No, but to show our respect to our friends who came to visit us.

Mr. Chairman, this modest $12 million, will in part replace the roads and streets that have already been taken away from the city of El Paso and the State of Texas, and the $27 million value of the property valuation taken this is not only a modest investment and, certainly, a truly justifiable investment that will do more in terms of good will and good relations, just as this treaty itself has done—and it took 100 years to settle this little small territory in dispute. It will do so much to cement the relations between our respective countries.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. BLATNIK. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

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

Mr. BLATNIK. I am glad to yield to my distinguished friend, the gentleman from Iowa, and I appreciate the gentleman waiting until I had completed my opening statement.

Mr. GROSS. Mr. Chairman, I wonder if we are also building a road down in Mexico. Can the gentleman from Minnesota give us any assurance that we are not also building yet another avenue for some of our numerous faucets for dispensing credit or cash?

Mr. BLATNIK. Mr. Chairman, I shall ask the gentleman from Texas [Mr. WRIGHT], the very able and knowledgeable member of the Committee on Public Works, or the gentleman from Texas [Mr. WHITE] to respond thereto.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I am glad to yield to the gentleman from Texas.

Mr. WRIGHT. Mr. Chairman, not a penny of the money that is going to the Mexican construction on their side is U.S. money. There is $8.8 million, however, that the Mexican Government is spending to improve our side of the border.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER] to the committee amendment.

The amendment to the committee amendment was rejected.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 3, line 15, strike out "SEC. 2" and insert in lieu thereof "SEC. 3".

The committee amendment was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BOGGS) having assumed the chair, Mr. CHARLES H. WILSON, 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. 11555) to provide a border highway along the U.S. bank of the Rio Grande in connection with the settlement of the Chamizal boundary dispute between the United States and Mexico, pursuant to House Resolution 976, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. 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 pro tempore. The question is on the passage of the bill.

Mr. CRAMER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CRAMER. I am opposed to the bill in its present form, Mr. Speaker.

The SPEAKER pro tempore. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CRAMER moves to recommit the bill, H.R. 11555, to the Committee on Public Works with instructions to report the same back to the House forthwith with the following amendments: On page 3, line 10, after the word "city" insert the following: "agrees to pay not less than fifty per centum of the cost of constructing such highway, excluding all costs of acquiring the right-of-way and all preliminary engineering costs, and".

On page 3, line 17, strike out "$12,000,000" and insert in lieu thereof "$8,000,000."

The SPEAKER pro tempore. Without objection, the previous question is ordered.

The question is on the motion to recommit.

The question was taken.

Mr. CRAMER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 149, nays 199, not voting 84, as follows:

[Roll No. 300]

YEAS—149

Anderson, Ill.	Davis, Wis.	Laird
Andrews, Glenn	Derwinski	Langen
Andrews, N. Dak.	Devine	Latta
Arends	Dickinson	Lennon
Ashbrook	Dole	Lipscomb
Ashley	Downing	McClory
Bates	Duncan, Tenn.	McCulloch
Battin	Dwyer	McGrath
Belcher	Edwards, Ala.	MacGregor
Bell	Erlenborn	Mailliard
Berry	Farnum	Marsh
Bolton	Findley	Mathias
Brademas	Fino	May
Bray	Fogarty	Michel
Brock	Foley	Minish
Broomfield	Ford, Gerald R.	Minshall
Brown, Clarence J., Jr.	Frelinghuysen	Monagan
Broyhill, N.C.	Fulton, Pa.	Moore
Broyhill, Va.	Goodell	Morse
Buchanan	Green, Oreg.	Mosher
Burton, Utah	Gross	Nelsen
Byrnes, Wis.	Gubser	O'Hara, Mich.
Cahill	Gurney	Ottinger
Carey	Hall	Pelly
Cederberg	Halleck	Pirnie
Chamberlain	Halpern	Poff
Chelf	Hansen, Idaho	Pucinski
Clancy	Hardy	Quie
Clawson, Del	Harsha	Quillen
Cleveland	Harvey, Ind.	Reid, Ill.
Collier	Harvey, Mich.	Reid, N.Y.
Conable	Horton	Reifel
Corbett	Hosmer	Rhodes, Ariz.
Cramer	Hutchinson	Robison
Culver	Jarman	Rodino
Cunningham	Joelson	Roudebush
Curtin	Johnson, Pa.	Satterfield
Curtis	Jonas	Saylor
Dague	Keith	Schisler
	Krebs	Schmidhauser
	Kunkel	Schneebeli
	Kupferman	Schweiker

Secrest	Talcott	Whitten
Shipley	Teague, Calif.	Widnall
Shriver	Thomson, Wis.	Williams
Skubitz	Utt	Wolff
Smith, Calif.	Vanik	Wyatt
Smith, Iowa	Vivian	Wydler
Springer	Watkins	Yates
Stafford	Watson	Younger
Stanton	Whalley	

NAYS—199

Adams	Grover	Patman
Addabbo	Hagen, Calif.	Patten
Anderson, Tenn.	Haley	Pepper
	Hamilton	Perkins
Andrews, George W.	Hanley	Philbin
	Hansen, Iowa	Pickle
Annunzio	Hathaway	Pike
Ashmore	Hawkins	Poage
Bandstra	Hechler	Pool
Barrett	Helstoski	Powell
Beckworth	Henderson	Price
Bennett	Herlong	Race
Bingham	Hicks	Randall
Blatnik	Holifield	Redlin
Boggs	Holland	Rees
Boland	Howard	Resnick
Bolling	Hull	Reuss
Brooks	Ichord	Rhodes, Pa.
Brown, Calif.	Irwin	Rivers, Alaska
Burke	Jacobs	Roberts
Burleson	Jennings	Rogers, Colo.
Burton, Calif.	Johnson, Calif.	Rogers, Fla.
Byrne, Pa.	Johnson, Okla.	Ronan
Cabell	Jones, Ala.	Rooney, Pa.
Callan	Jones, Mo.	Rosenthal
Casey	Jones, N.C.	Rostenkowski
Celler	Karsten	Roush
Clark	Karth	Ryan
Clausen, Don H.	Kastenmeier	St. Onge
	Kee	Scheuer
Clevenger	Kelly	Selden
Cohelan	Keogh	Sickles
Colmer	King, Calif.	Sikes
Daddario	King, Utah	Sisk
Daniels	Kirwan	Slack
de la Garza	Kornegay	Smith, N.Y.
Delaney	Landrum	Smith, Va.
Dent	Long, La.	Staggers
Denton	Long, Md.	Stalbaum
Dingell	Love	Steed
Donohue	McCarthy	Stubblefield
Dow	McDowell	Sullivan
Dowdy	McFall	Sweeney
Dulski	Macdonald	Taylor
Edwards, Calif.	Machen	Teague, Tex.
Everett	Mackie	Tenzer
Fallon	Madden	Thomas
Farnsley	Mahon	Thompson, Tex
Fascell	Matsunaga	Todd
Feighan	Matthews	Trimble
Flood	Meeds	Tupper
Ford, William D.	Mills	Tuten
	Mink	Udall
Fountain	Mize	Ullman
Fraser	Moorhead	Van Deerlin
Friedel	Morgan	Vigorito
Fulton, Tenn.	Morris	Waldie
Fuqua	Multer	Walker, N. Mex.
Gathings	Murphy, Ill.	Weltner
Giaimo	Natcher	White, Idaho
Gilbert	Nedzi	White, Tex.
Gilligan	Nix	Whitener
Gonzalez	O'Brien	Willis
Grabowski	O'Hara, Ill.	Wilson, Charles H.
Green, Pa.	Olsen, Mont.	
Greigg	Olson, Minn.	Wright
Grider	O'Neal, Ga.	Young
Griffiths	O'Neill, Mass.	Zablocki

NOT VOTING—84

Abbitt	Edwards, La.	McMillan
Abernethy	Ellsworth	McVicker
Adair	Evans, Colo.	Mackay
Albert	Evins, Tenn.	Martin, Ala.
Aspinall	Farbstein	Martin, Mass.
Ayres	Fisher	Martin, Nebr.
Baring	Flynt	Miller
Betts	Gallagher	Moeller
Bow	Garmatz	Morrison
Callaway	Gettys	Morton
Cameron	Gibbons	Moss
Carter	Gray	Murphy, N.Y.
Conte	Hagan, Ga.	Murray
Conyers	Hanna	O'Konski
Cooley	Hansen, Wash.	Passman
Corman	Hays	Purcell
Craley	Hébert	Reinecke
Davis, Ga.	Hungate	Rivers, S.C.
Dawson	Huot	Rogers, Tex.
Diggs	King, N.Y.	Roncalio
Dorn	Kluczynski	Rooney, N.Y.
Duncan, Oreg.	Leggett	Roybal
Dyal	McDade	Rumsfeld
Edmondson	McEwen	St Germain
Scott	Thompson, N.J.	Waggonner
Senner	Toll	Walker, Miss.
Stephens	Tuck	Watts
Stratton	Tunney	Wilson, Bob

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Albert with Mr. Adair.
Mr. Waggonner with Mr. Walker of Mississippi.
Mr. Hébert with Mr. Martin of Massachusetts.
Mr. Tuck with Mr. McEwen.
Mr. Thompson of New Jersey with Mr. Ellsworth.
Mr. Smith of Virginia with Mr. Carter.
Mr. Senner with Mr. Reinecke.
Mr. Davis of Georgia with Mr. Callaway.
Mr. Evins of Tennessee with Mr. Ayres.
Mr. Farbstein with Mr. Rumsfeld.
Mr. Murphy of New York with Mr. King of New York.
Mr. Miller with Mr. Martin of Alabama.
Mr. Tunney with Mr. Conte.
Mr. Kluczynski with Mr. McDade.
Mr. Roybal with Mr. Bob Wilson.
Mr. Dyal with Mr. O'Konski.
Mr. Garmatz with Mr. Morton.
Mr. Gray with Mr. Martin of Nebraska.
Mr. Purcell with Mr. Betts.
Mr. Rivers of South Carolina with Mr. Bow.
Mr. Mackay with Mr. Morrison.
Mr. Cameron with Mr. Dawson.
Mr. Abernethy with Mr. Huot.
Mr. Hays with Mr. Baring.
Mr. Abbitt with Mr. Cooley.
Mr. St Germain with Mr. Craley.
Mr. Roncalio with Mr. Conyers.
Mr. Stephens with Mr. Dorn.
Mr. Leggett with Mr. Gibbons.
Mr. Corman with Mr. Diggs.
Mr. Duncan of Oregon with Mr. McMillan.
Mr. Fisher with Mr. McVicker.
Mr. Gallagher with Mr. Toll.
Mr. Hagan of Georgia with Mr. Scott.
Mr. Gettys with Mr. Rogers of Texas.
Mr. Watts with Mr. Evans of Colorado.
Mr. Edmondson with Mr. Moeller.
Mr. Moss with Mr. Edwards of Louisiana.
Mr. Flynt with Mr. Hanna.
Mr. Passman with Mrs. Hansen of Washington.

Mrs. GRIFFITHS changed her vote from "yea" to "nay."

Mrs. REID of Illinois changed her vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. GROSS. Mr. Speaker, I demand the yeas and nays.

The SPEAKER pro tempore. Thirty-one Members have risen, an insufficient number.

The yeas and nays were refused.

The question was taken; and the Speaker pro tempore announced that the yeas had it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and twenty-one Members are present, a quorum.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the legislation just passed.

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

There was no objection.

TIJUANA RIVER INTERNATIONAL FLOOD CONTROL PROJECT

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1006 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1006

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. 13825) to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 13825, the Committee on Foreign Affairs shall be discharged from the further consideration of the bill (S. 2540), and it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 13825 as passed the House.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN] pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1006 provides an open rule with 1 hour of general debate for consideration of H.R. 13825, a bill to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes.

H.R. 13825 authorizes the Secretary of State, acting through the U.S. Commissioner, International Boundary and Water Commission, United States and Mexico, to conclude an agreement with Mexico for the joint construction, operation, and maintenance by the United States of an international flood control project for the Tijuana River. Following the conclusion of such an agreement the U.S. Commissioner is authorized to construct, operate, and maintain the U.S. portion of the project and the bill authorizes appropriations for that purpose. The bill pro-

hibits expenditures for construction on any land, site, or easement except such as has been acquired by donation upon approval of title by the Attorney General.

The contemplated agreement would provide for a joint project with Mexico for construction of a concrete-lined flood control channel 8.4 miles in length for the lower reaches of the Tijuana River, of which 2.7 miles would be in Mexico and built by its Government at its expense, estimated to cost about $7 million, and 5.7 miles in the United States at its expense under a coordinated plan.

The flow in the Tijuana River is usually small, but at intervals it discharges floods of great magnitude which spread over the entire width of the valley in both countries to cause widespread damage. Until controlled, such floods preclude extensive urban and industrial development except at the risk of major damages. Two U.S. military installations in the flood area also would suffer from heavy outflow of the river.

Mr. Speaker, I urge the adoption of House Resolution 1006 in order that H.R. 13825 may be considered.

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

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

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

Mr. GROSS. Is it not unusual to provide in a rule for the substitution of a Senate bill for the House bill? Is that not usually done on the floor of the House after the bill is passed?

Mr. SISK. Let us say that it is not done regularly. However, I do not consider the procedure as being unusual. It is within the rules of the House.

Mr. GROSS. I am certain of that; otherwise a point of order could be made to it. I do not contend it is a violation of the rules of the House. But what is the purpose of the provision? Why is it in this rule to the exclusion of most rules?

Mr. SISK. It is my understanding, checking with members of the Foreign Affairs Committee, that it was to simplify procedure. It is my understanding that this bill has passed the Senate, and the provision to which the gentleman refers is made in order to bring about simplification of the procedure and to get the bill to the White House that much sooner.

It is my understanding that was the reason, I might say to my good friend.

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

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

Mr. Speaker, as the gentleman from California has stated, House Resolution 1006 makes in order the consideration of H.R. 13825, the Tijuana River flood control project bill, under an open rule with 1 hour of general debate. After passage of H.R. 13825, the Committee on Foreign Affairs will be discharged from further consideration of S. 2540, and it shall be in order to move to strike out all after the enacting clause of the Senate bill and insert the language contained in H.R. 13825 as passed by the House.

The purpose of H.R. 13825 is to authorize the Secretary of State, acting through the U.S. Commissioner to the International Boundary and Water Commission, to conclude an agreement with Mexico for the joint construction, operation, and maintenance of an international flood control project. The bill authorizes funds for the U.S. portion of the construction and maintenance of the project.

An 8.4-mile flood control channel is to be built, 5.7 miles of it in the United States at our expense. The estimated cost of the project to the United States is $15,400,000—$13,300,000 is for construction, and $2,100,000 for right-of-way and relocations. The estimated annual maintenance is $565,000.

The city of San Diego has agreed to assume the payment of $4,500,000 as its share of the flood control project.

The authorization contained in the bill is $12,600,000 for the construction costs. This limitation will not restrict further appropriations for operation and maintenance.

There are no minority views.

Mr. Speaker, I know of no objection to the rule. I have no further requests for time, but I reserve the balance of my time.

Mr. SISK. 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.

Mr. SELDEN. 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. 13825) to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Alabama.

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. 13825, with Mr. CHARLES H. WILSON 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 Alabama [Mr. SELDEN] will be recognized for 30 minutes, and the gentleman from California [Mr. MAILLIARD] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. SELDEN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, H.R. 13825 would authorize the Secretary of State, acting through the U.S. Commissioner, International Boundary and Water Commission, United States and Mexico, to enter into an agreement with Mexico for the joint construction, operation, and maintenance by the United States and Mexico, of an international flood control project for the Tijuana River in southern California and Mexico.

If approved, the agreement between the United States and Mexico will provide for the joint construction of a concrete-lined flood control channel approximately 8.4 miles in length for the lower reaches of the Tijuana River where it comes out at San Diego. Two and seven-tenths miles of that concrete-lined channel would be in Mexico and would be built by the Government of Mexico at its expense at an estimated cost of about $7 million. Five and seven-tenths miles would be built in the United States under a coordinated plan, at a cost estimated in 1965 at $15.4 million. Of this cost, the city of San Diego, Calif., has agreed, by resolutions, to assume the responsibility for payment of an estimated $4.5 million, the final allocations to be based upon final cost. This sharing is in accord with Federal practices for domestic flood control projects. Of the expense to be borne by the Federal Government, $13.3 million is for construction and $2.1 million is for land and relocation. The benefit-cost ratio on this project has been estimated by the Corps of Engineers at 1.4 to 1.

The bill before us authorizes a sum not to exceed $12.6 million which allows for a possible rise in the cost index between 1965 and the time the project is expected to be completed.

It is my understanding—and the U.S. Commissioner of the International Boundary and Water Commission has stated categorically to the committee—that no U.S. funds will be made available for the implementation of this project until the Mexican Government enters into agreement for the joint project and authorizes funds for its portion of the work.

I might add, Mr. Chairman, that this project had bipartisan support in the committee as well as from the State of California, and I urge the adoption of this legislation.

Mr. MAILLIARD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the chairman of the subcommittee has explained the bill. Also, its provisions were explained during debate on the rule. I see no point in my repeating those facts.

I believe there is only one point not mentioned which might be of interest to the Committee; that is, in the other body this bill had an open-end authorization, whereas our committee determined to place a limitation in the bill of the presently estimated cost of the project.

I know of no substantial opposition to the bill, although I believe there are perhaps some Members who may have some reservations about it.

Mr. Chairman, I now yield 5 minutes to the gentleman from Iowa [Mr. GROSS] who may be one of those who has reservations.

Mr. GROSS. Mr. Chairman, I am pretty well convinced that no amount of substantial opposition would defeat this bill because the House is determined

to spend and spend, but let me speak for a minute or two about the provision of this bill.

This Tijuana River channel—and it is not to be confused with the Tijuana Race Track, which I misplaced at Juarez, Mexico, a little while ago, not being too conversant with racetracks—is owned and controlled by private interests in substantial part, which makes this an unusual setup. Unlike most streams we deal with in the matter of flood control, this river channel is controlled in very substantial part by private interests.

So what is about to be done here is to relocate the Tijuana River on one side of the valley at a cost of $12,600,000, as I remember the situation, and I shall be glad to be corrected if I am wrong.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

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

Mr. JONES of Alabama. Is the gentleman suggesting that this is a novel event, that special interest is being served?

Mr. GROSS. No, I am not talking about serving. I am talking about controlling—owning the land and the channel of the stream.

Mr. JONES of Alabama. I do not think that is quite unique.

Mr. GROSS. It can be found in the hearings.

Mr. JONES of Alabama. I would appreciate the gentleman serving us with the precedents that he is relying on.

Mr. GROSS. You will find it in the hearings that is the case. We are asked to spend $12.6 million of all the taxpayers money to relocate this stream with the property being owned by public and private interests, largely private interests.

Mr. JONES of Alabama. Will the gentleman yield further?

Mr. GROSS. Yes.

Mr. JONES of Alabama. The gentleman sat here and voted on this same proposition when we had the Mary River development, which did not serve but one paper company.

Mr. GROSS. I do not recall it.

Mr. JONES of Alabama. Yes, the gentleman voted for it.

Mr. GROSS. I do not recall it. When was it?

Mr. JONES of Alabama. I am sorry I do not have the chapter and verse right now, but the gentleman certainly did, as I recall it. I hope I have not gone amiss on that.

Mr. GROSS. In the hearings it was admitted that this was something of a unique situation, I will say to the gentleman from Alabama. I will try when I leave the well of the House to go back and find it in the testimony. Obviously I cannot go back through the hearings now.

Mr. JONES of Alabama. Neither can I, I will say to the gentleman if he will yield further.

Mr. GROSS. Yes.

Mr. JONES of Alabama. Neither can I, but it is not unusual that that situation comes about. I remember we did it in the case of the Detroit River one time for the Edison Electric Co. We have done it on numerous occasions.

Mr. GROSS. What did you do on numerous occasions?

Mr. JONES of Alabama. Accommodated special interests that enhanced the value of water resources developments in this country. So I do not think that we are going astray in this case.

Mr. GROSS. I do not think there is any flood control project that does not enhance the value of certain property. But that is not the issue at the moment.

Mr. JONES of Alabama. If I said flood control, I meant the development of water resources such as canals and such as we had in the case of the Detroit River.

Mr. GROSS. I am glad to learn that the gentleman from Alabama is so conversant with this bill. Will the gentleman tell me how much flood loss there has been on the Tijuana River? Will he tell me what the maximum loss on this river has been in any one flood?

Mr. JONES of Alabama. No. I do not have those figures, but I would defer to the gentleman from Alabama [Mr. SELDEN], who can supply you with that.

Mr. GROSS. I thought the gentleman had the figures.

Mr. JONES of Alabama. No. I was talking about the principle.

Mr. GROSS. Since the gentleman says there is nothing unusual about this, I wonder if he would be interested to know that the last flood they had on the Tijuana River was in 1916.

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

Mr. GROSS. Yes. I yield.

Mr. SELDEN. I do not think that information is correct.

Mr. GROSS. That is Mr. Friedkin's testimony in the hearings.

Mr. SELDEN. No. He testified the largest flood was in 1916 but there had been 10 floods since 1938.

Mr. GROSS. Mr. Friedkin says on page 21 of the hearings:

> The maximum flood we have record of was 1916, which approached about 100,000 cubic feet per second. The estimated damage in 1916 was $200,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAILLIARD. Mr. Chairman, I yield to the gentleman 5 additional minutes.

Mr. GROSS. Does the gentleman quarrel with Mr. Friedkin's testimony?

Mr. SELDEN. Will the gentleman yield again?

Mr. GROSS. Yes.

Mr. SELDEN. I think you will find in the testimony that at some point Mr. Friedkin said also that since 1938 there had been 10 additional floods which have overflowed the river channel and flooded partially or entirely the valley floor.

Mr. GROSS. All right. But the maximum flood, according to him, was in 1916, with a loss of $200,000.

Mr. SELDEN. That is correct. But the gentleman said there had not been a flood there since 1916.

Mr. GROSS. I stand corrected, but I still say the maximum flood was in 1916, according to the testimony, and the maximum single flood damage was $200,000.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes.

Mr. JONES of Alabama. Why, the gentleman from Iowa came before our committee and justified the Waterloo project in Iowa on the basis of the maximum flood of record.

Now, why does the gentleman from Iowa want to get the picture out of focus?

Mr. GROSS. Now——

Mr. JONES of Alabama. Just a minute.

Mr. GROSS. Wait a minute. The gentleman from Alabama has been speaking on my time and the gentleman is now trying to tell me how I can allocate the remainder of it, but go ahead.

Mr. JONES of Alabama. No, I mean that the gentleman from Iowa is here complaining about the establishment of a flood control project, based upon the maximum flood.

Mr. GROSS. I am complaining about the taxpayers of the United States being called upon at a cost of $12,600,000 to relocate a river, the channel of which is largely owned and controlled by private interests.

Mr. JONES of Alabama. You are not asking that.

Mr. GROSS. I am also complaining that under these circumstances and from the Federal taxpayers' standpoint, this proposition does not meet any reasonable criteria as to cost-to-benefit.

Mr. JONES of Alabama. I would think——

Mr. GROSS. There was a question—and the gentleman from Alabama [Mr. SELDEN] raised the question in committee—as to what the original cost-benefit ratio was. I have forgotten the answer that he received, but it seems to me it was less than 1 to 1.

Mr. SELDEN. Mr. Chairman, will the distinguished gentleman from Iowa yield to me at this point?

Mr. GROSS. I yield to the distinguished gentleman from Alabama [Mr. SELDEN].

Mr. SELDEN. The cost-benefit ratio was less than originally stated, but the final estimate, as I recall, was 1.4 to 1, which is a very good ratio. As a matter of fact I believe the Waterloo project to which the gentleman from Alabama [Mr. JONES] referred had a cost-to-benefit ratio of 1.3 to 1.

Mr. GROSS. We were also told in the hearings that the present location of this river endangers the military installations in the valley.

I took the trouble to call the military services and they said they had not lost a single dollar from a flood. I am not going to further belabor this issue, but I am totally unconvinced that the taxpayers of this country should be called upon to expend $12.6 million to take over an obligation that belongs to private property owners and the public interests which control this river, including the channel and which will be enormously benefited in terms of enhanced land values.

I cannot support this bill on the basis that I do not think a valid case has been made for it.

Mr. SELDEN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. VAN DEERLIN].

Mr. VAN DEERLIN. Mr. Chairman, I am glad of the opportunity to appear in behalf of this legislation, following the distinguished gentleman from Iowa [Mr. GROSS], because I believe, having some familiarity with the areas involved in this legislation, I can set at rest some of the fears that he raises.

First of all, let us settle the matter of location. During debate on the previous legislation, the gentleman from Iowa [Mr. GROSS] voiced concern that the Chamizel Highway might be intended to carry traffic to the Tijuana racetrack. He learned that the proposed highway will be at least a thousand miles from the Tijuana racetrack. So let me concede at the outset that the project I am espousing today will be within about 4 miles of the Tijuana racetrack. But rather than lead anyone to that track, let me emphasize that my project is intended to keep the Tijuana racetrack from washing into the United States, with all the temptations that might bring.

Now with reference to the matter of private ownership of property along this river—I can assure you this is nothing unique in southern California. Our rivers, you see, are not the kind of free-flowing rivers to which you are accustomed in the Midwest and in the East. Our rivers are usually dry-bed rivers, seldom showing more than a sliver of water. And then along comes that year when you get maximum rainfall, and this dry bed suddenly becomes a gushing torrent. As I noted in a communication to committee members this morning, the potential floodflow on the Tijuana River is about 10 times the normal flow of the Potomac River.

The reason that this land is in private hands is because at present it is being farmed. They sink wells down below the river—or below where the river is not—and thus water their crops. So this land is in productive use for agricultural purposes. It just happens that with the development of this entire area since the year 1916—the last maximum flood—the change in potential use and present evaluation and prospective evaluations has been very great. A flood equal to the flood of 1916—which took 16 lives, in addition to doing $200,000 worth of property damage—would today do untold millions of dollars in damage.

On the matter of the naval installation at Ream Field—Ream Field was not there in 1916. Ream Field is elevated some 25 feet from the floor of the valley. But there is no question that those aprons with some of the most valuable helicopter equipment on the west coast and in the Nation would be seriously impaired by a full-scale flood, which quickly erodes the "fill" type of land on which Ream Field sits.

The only reason this bill came through the Committee on Foreign Affairs, where it was most ably handled by my good friend from Alabama, and not through the Committee on Public Works, through which projects of this type normally pass, is that it involves two nations. Before they can begin to build, they must agree that the same type of channel which is erected on the Mexican side will be followed on our side of the border.

There is no point in letting Mexico go ahead and build a channel through the Tijuana portion—which is a city of more than 200,000 persons—and funnel this floodwater into an unprotected valley.

By the same token, it would be useless for us on the American side to erect a flood control channel which would not receive channelized water from the Mexican side.

This river has its tributaries on the American side. It flows down to Baja California, and back into the United States for the last 6 miles of its flow. The urgency of this project has been so impressed upon the people of San Diego that the city of San Diego which abuts on Mexico at this point, has guaranteed that not less than 29 percent of the project shall be underwritten locally.

I think the gentleman from Alabama [Mr. JONES] would attest that this is a somewhat higher ratio than local participation in most domestic projects.

The local beneficiaries have agreed to provide all that they would be required to provide in any domestic project. The city of San Diego will—

First. Provide without cost to the Federal Government all land, easements, and rights-of-way necessary for construction and operation of the project. The estimated total cost of these items is $1,330,000.

Second. Make alterations to existing improvements, including road and bridge relocations, utility relocations, and a water-spreading system for groundwater recharge, estimated to cost $770,000.

Third. The city of San Diego will hold and save the Federal Government free from damages due to the construction and operation of the project.

Fourth. It will prevent encroachment on the flood channel and other features of the project that would reduce design capacities or otherwise adversely affect their operations.

Fifth. Finally, it would prevent encroachment upon existing defined waterways tributary to the project, by zoning or other means such as enlargement or other modification of the existing waterway facilities, to prevent the minor floods on these tributary waterways from developing into serious problems.

Thus, the people of San Diego and of California have indicated their desire to take part in the project, to protect us—not against a repetition of the $200,000 damages which occurred in the devastating flood of 1916, but which for all time will enable us to use this prime land for purposes more productive to the tax rolls than agriculture.

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

Mr. VAN DEERLIN. I yield to the gentleman.

Mr. GROSS. I am sure the gentleman would agree that the land values have enhanced in this valley, agricultural land in particular?

Mr. VAN DEERLIN. Since 1916?

Mr. GROSS. Yes—or since you began this project, since it was surveyed for this purpose of relocating the river?

Mr. VAN DEERLIN. I would have no information, sir, that that is true, except that there has been a normal increase in land values in southern California.

Mr. GROSS. That is what I mean. Land values have enhanced in recent years.

Mr. VAN DEERLIN. I thought the question concerned the time since this project has been on the drawing boards. I would say that there is nothing traceable to this project in the way of an increase in land values.

Mr. GROSS. Agricultural land in the State of Iowa has increased tremendously in the last few years, enhancing in value, and I assume the same is true of agricultural land in Colorado. Would it follow that productive agricultural land in the State of California has enhanced in value also?

Mr. VAN DEERLIN. If the gentleman limits his question to the general matter of land value enhancement, the answer would be yes. I thought the gentleman's suggestion was that this project had caused an undue speculative increase in land values.

Mr. GROSS. A few moments ago I raised the question of the cost-to-benefit ratio, and despite the enhancement in land value the cost-to-benefit ratio has gone down in this project. I am unable to understand why. I could not understand it in the committee when the hearings were held, and I obtained no good answer for this.

Mr. VAN DEERLIN. I think, sir, that this stems from the increase in the cost of the project, which was caused by the delay in its enactment. I cannot say for sure, but my memory of the hearings is that that was the explanation.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. VAN DEERLIN. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. The report and the accompanying map indicate that two military installations are in the flood area. The gentleman from California now in the well has told us about Ream Field, apparently a helicopter field. Could you tell us a little bit about a field known as Border Field?

Mr. VAN DEERLIN. That is a Navy signal station. Like every other installation it is of importance. But if Border Field were washed out, it would be by no means the catastrophe that such a disaster would be to Ream Field.

Mr. MACGREGOR. Ream Field is probably on higher land than Border Field?

Mr. VAN DEERLIN. It is considerably higher, but it is filled land and would very likely be washed out easily.

Mr. MACGREGOR. I thank the gentleman.

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

Mr. VAN DEERLIN. I yield.

Mr. GROSS. I trust the gentleman from Minnesota heard my earlier remarks, that at the Pentagon they say

they have not suffered by damage from floods.

Mr. MACGREGOR. If the gentleman from California will yield, I have listened with great interest to the entire debate, including the remarks of the gentleman from Iowa.

Mr. VAN DEERLIN. I thank you, Mr. Chairman.

Mr. MAILLIARD. Mr. Chairman, I have no further requests for time.

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

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 13825

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State, acting through the United States Commissioner, International Boundary and Water Commission, United States and Mexico, is hereby authorized to conclude with the appropriate official or officials of the Government of Mexico an agreement for the joint construction, operation, and maintenance by the United States and Mexico, in accordance with the provisions of the treaty of February 3, 1944, with Mexico, of an international flood control project for the Tijuana River, which shall be located and have substantially the characteristics described in "Report on an International Flood Control Project, Tijuana River Basin," prepared by the United States Section, International Boundary and Water Commission, United States and Mexico.

SEC. 2. If agreement is concluded pursuant to section 1 of this Act, the said United States Commissioner is authorized to construct, operate, and maintain the portion of such project assigned to the United States, and there is hereby authorized to be appropriated to the Department of State for use of the United States Section, such sums as may be necessary, not to exceed $12,600,000, to carry out the provisions of this Act: *Provided,* That no part of any appropriation made shall be expended for construction on any land, site, or easement, except such as has been acquired by donation and the title thereto has been approved by the Attorney General of the United States.

Mr. SELDEN (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open for amendment at any point.

The CHAIRMAN. Without objection, it is so ordered.

The Clerk will report the committee amendment.

The Clerk read as follows:

On page 2, beginning in line 13, strike out "such sums as may be necessary, not to exceed $12,600,000, to carry out the provisions of this Act: *Provided,* That no part of any appropriation made shall" and insert in lieu thereof "not to exceed $12,600,000 for the construction of such project and such sums as may be necessary for its maintenance and operation. No part of any appropriation under this Act shall".

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BOGGS) having resumed the chair, Mr. CHARLES H. WILSON, 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. 13825) to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes, pursuant to House Resolution 1006, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the adoption of the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. 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 pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 294, nays 43, not voting 95, as follows:

[Roll No. 301]

YEAS—294

Addabbo	Byrne, Pa.	Everett
Anderson, Ill.	Byrnes, Wis.	Fallon
Anderson, Tenn.	Cabell	Farnsley
Andrews, George W.	Cahill	Farnum
Andrews, Glenn	Callan	Fascell
Andrews, N. Dak.	Casey	Feighan
Annunzio	Cederberg	Flood
Arends	Celler	Ford, Gerald R.
Ashbrook	Chamberlain	Ford, William D.
Ashley	Chelf	Fountain
Bandstra	Clancy	Fraser
Barrett	Clark	Friedel
Bates	Clausen, Don H.	Fulton, Tenn.
Battin	Clawson, Del	Gathings
Beckworth	Cleveland	Giaimo
Belcher	Clevenger	Gilbert
Bell	Conyers	Gilligan
Bennett	Corbett	Gonzalez
Berry	Cramer	Goodell
Bingham	Culver	Grabowski
Blatnik	Cunningham	Green, Oreg.
Boggs	Curtin	Green, Pa.
Boland	Daddario	Greigg
Bolling	Daguе	Grider
Bolton	Daniels	Griffiths
Brademas	de la Garza	Grover
Bray	Delaney	Gubser
Brooks	Dent	Gurney
Broomfield	Denton	Hagen, Calif.
Brown, Calif.	Derwinski	Halleck
Brown, Clarence J., Jr.	Devine	Halpern
Broyhill, N.C.	Dingell	Hamilton
Broyhill, Va.	Dole	Hanley
Buchanan	Donohue	Hansen, Idaho
Burke	Dow	Hansen, Iowa
Burleson	Dowdy	Hardy
Burton, Calif.	Downing	Harvey, Ind.
Burton, Utah	Dulski	Harvey, Mich.
	Dwyer	Hathaway
	Edwards, Ala.	Hawkins
	Edwards, Calif.	Hechler
	Erlenborn	Helstoski
Henderson	Mize	Satterfield
Hicks	Monagan	St. Onge
Holifield	Moore	Saylor
Holland	Moorhead	Scheuer
Horton	Morgan	Schisler
Hosmer	Morris	Schmidhauser
Howard	Morse	Schneebeli
Hull	Mosher	Schweiker
Huot	Multer	Selden
Irwin	Murphy, Ill.	Shriver
Jacobs	Natcher	Sickles
Jarman	Nedzi	Sikes
Jennings	Nelsen	Sisk
Joelson	Nix	Slack
Johnson, Calif.	O'Brien	Smith, Calif.
Johnson, Okla.	O'Hara, Ill.	Smith, Iowa
Jonas	O'Hara, Mich.	Smith, N.Y.
Jones, Ala.	Olsen, Mont.	Smith, Va.
Jones, N.C.	Olson, Minn.	Stafford
Karsten	O'Neill, Mass.	Staggers
Karth	Ottinger	Stanton
Kastenmeier	Patman	Steed
Kee	Patten	Stubblefield
Keith	Pelly	Sullivan
Kelly	Pepper	Talcott
Keogh	Perkins	Taylor
King, Calif.	Philbin	Teague, Calif.
King, Utah	Pickle	Tenzer
Kirwan	Pirnie	Thomas
Kornegay	Poage	Thompson, Tex.
Krebs	Poff	Thomson, Wis.
Kupferman	Powell	Trimble
Laird	Price	Tupper
Landrum	Pucinski	Tuten
Leggett	Quie	Udall
Long, Md.	Redlin	Ullman
Love	Rees	Utt
McCarthy	Reid, Ill.	Van Deerlin
McCulloch	Reid, N.Y.	Vanik
McDowell	Reifel	Vigorito
McFall	Resnick	Vivian
McGrath	Reuss	Waggonner
Macdonald	Rhodes, Ariz.	Waldie
MacGregor	Rhodes, Pa.	Walker, N. Mex.
Machen	Rivers, Alaska	Watkins
Mackie	Roberts	Watson
Madden	Robison	Whalley
Mahon	Rodino	White, Idaho
Mailliard	Rogers, Colo.	White, Tex.
Marsh	Rogers, Fla.	Widnall
Mathias	Ronan	Wilson, Charles H.
Matsunaga	Rooney, N.Y.	Wright
Matthews	Rooney, Pa.	Wyatt
May	Rosenthal	Young
Meeds	Rostenkowski	Younger
Mills	Roudebush	Zablocki
Minish	Roush	
Mink	Ryan	

NAYS—43

Adams	Haley	Quillen
Ashmore	Hall	Race
Brock	Harsha	Randall
Collier	Herlong	Secrest
Colmer	Hutchinson	Shipley
Conable	Ichord	Skubitz
Curtis	Johnson, Pa.	Springer
Davis, Wis.	Kunkel	Stalbaum
Dickinson	Langen	Weltner
Duncan, Tenn.	Latta	Whitener
Findley	Lennon	Williams
Foley	McClory	Wolff
Fulton, Pa.	Minshall	Wydler
Fuqua	O'Neal, Ga.	
Gross	Pike	

NOT VOTING—95

Abbitt	Evans, Colo.	McVicker
Abernethy	Evins, Tenn.	Mackay
Adair	Farbstein	Martin, Ala.
Albert	Fino	Martin, Mass.
Aspinall	Fisher	Martin, Nebr.
Ayres	Flynt	Michel
Baring	Fogarty	Miller
Betts	Frelinghuysen	Moeller
Bow	Gallagher	Morrison
Callaway	Garmatz	Morton
Cameron	Gettys	Moss
Carey	Gibbons	Murphy, N.Y.
Carter	Gray	Murray
Cohelan	Hagan, Ga.	O'Konski
Conte	Hanna	Passman
Cooley	Hansen, Wash.	Pool
Corman	Hays	Purcell
Craley	Hébert	Reinecke
Davis, Ga.	Hungate	Rivers, S.C.
Dawson	Jones, Mo.	Rogers, Tex.
Diggs	King, N.Y.	Roncalio
Dorn	Kluczynski	Roybal
Duncan, Oreg.	Lipscomb	Rumsfeld
Dyal	Long, La.	St Germain
Edmondson	McDade	Scott
Edwards, La.	McEwen	Senner
Ellsworth	McMillan	Stephens

Stratton	Toll	Whitten
Sweeney	Tuck	Willis
Teague, Tex.	Tunney	Wilson, Bob
Thompson, N.J.	Walker, Miss.	Yates
Todd	Watts	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Fogarty with Mr. Watts.
Mr. Gallagher with Mr. Fisher.
Mr. Evans of Colorado with Mr. Edwards of Louisiana.
Mr. Passman with Mr. Duncan of Oregon.
Mr. Pool with Mrs. Hansen of Washington.
Mr. Gibbons with Mr. Willis.
Mr. Long of Louisiana with Mr. McMillan.
Mr. Stephens with Mr. Todd.
Mr. Scott with Mr. Toll.
Mr. Teague of Texas with Mr. Murray.
Mr. Corman with Mr. Craley.
Mr. Baring with Mr. Roncalio.
Mr. Albert with Mr. Adair.
Mr. Tuck with Mr. Rumsfeld.
Mr. Hébert with Mr. Michel.
Mr. Moeller with Mr. McEwen.
Mr. Thompson of New Jersey with Mr. Conte.
Mr. Senner with Mr. Ayres.
Mr. Davis of Georgia with Mr. Walker of Mississippi.
Mr. Evins of Tennessee with Mr. Carter.
Mr. Murphy of New York with Mr. King of New York.
Mr. Miller with Mr. Lipscomb.
Mr. Tunney with Mr. Reinecke.
Mr. Kluczynski with Mr. Betts.
Mr. Carey with Mr. Fino.
Mr. Hungate with Mr. Morton.
Mr. Hays with Mr. Bow.
Mr. Rogers of Texas with Mr. Martin of Massachusetts.
Mr. St Germain with Mr. Bob Wilson.
Mr. Stratton with Mr. Martin of Nebraska.
Mr. Sweeney with Mr. Frelinghuysen.
Mr. Mackay with Mr. Callaway.
Mr. Morrison with Mr. Martin of Alabama.
Mr. Yates with Mr. McDade.
Mr. Whitten with Mr. Ellsworth.
Mr. Cohelan with Mr. Harsha.
Mr. Aspinall with Mr. O'Konski.
Mr. Abernethy with Mr. Whalley.
Mr. Dyal with Mr. Hagan of Georgia.
Mr. Garmatz with Mr. Hanna.
Mr. Purcell with Mr. Dorn.
Mr. Rivers of South Carolina with Mr. Edmondson.
Mr. Gray with Mr. Cameron.
Mr. Gettys with Mr. Cooley.
Mr. Moss with Mr. Dawson.
Mr. Abbitt with Mr. McVicker.
Mr. Roybal with Mr. Diggs.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 1006, the Committee on Foreign Affairs is discharged from further consideration of the bill S. 2540.

MOTION BY MR. SELDEN

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

The Clerk read as follows:

Mr. SELDEN moves to strike out all after the enacting clause of the bill S. 2540, and insert in lieu thereof the provisions of H.R. 13825, as passed, as follows:

"That the Secretary of State, acting through the United States Commissioner, International Boundary and Water Commission, United States and Mexico, is hereby authorized to conclude with the appropriate official or officials of the Government of Mexico an agreement for the joint construction, operation, and maintenance by the United States and Mexico, in accordance with the provisions of the treaty of February 3, 1944, with Mexico, of an international flood control project for the Tijuana River, which shall be located and have substantially the characteristics described in 'Report on an International Flood Control Project, Tijuana River Basin,' prepared by the United States Section, International Boundary and Water Commission, United States and Mexico.

"SEC. 2. If agreement is concluded pursuant to section 1 of this Act, the said United States Commissioner is authorized to construct, operate, and maintain the portion of such project assigned to the United States, and there is hereby authorized to be appropriated to the Department of State for use of the United States Section, not to exceed $12,600,000 for the construction of such project and such sums as may be necessary for its maintenance and operation. No part of any appropriation under this Act shall be expended for construction on any land, site, or easement, except such as has been acquired by donation and the title thereto has been approved by the Attorney General of the United States."

The SPEAKER. The question is on the motion of the gentleman from Alabama.

The motion was agreed to.

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

A similar House bill (H.R. 13825) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. SELDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

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

There was no objection.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until 12 o'clock midnight, Friday, to file certain privileged reports.

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

There was no objection.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. 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 Michigan?

There was no objection.

Mr. GERALD R. FORD. I ask for this time for the purpose of asking the distinguished acting majority leader, the gentleman from Louisiana [Mr. BOGGS] the program for the rest of this week and the program for next week.

Mr. BOGGS. Mr. Speaker, in response to the request of the distinguished minority leader, it is my hope that after the conclusion of business today—and there is no further legislative business today—we can adjourn to meet on Monday next.

I will ask now that when the House adjourn today it adjourn to meet on Monday next.

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if we might have the program before that request?

Mr. BOGGS. Mr. Speaker, I will be very glad to withhold that request.

Mr. Speaker, on Monday is District day, but we have no bills scheduled.

We will call up the rule on the bill H.R. 15111, the Economic Opportunity Act amendments, the so-called poverty bill with an open rule, and 8 hours of debate.

That will be followed by H.R. 17607, to temporarily suspend the investment credit and the application of accelerated depreciation, providing the rule is granted on that bill, and I understand the report will be filed today.

After that, House Joint Resolution 1163, the Washington Metropolitan Area Transit Authority, with an open rule, 3 hours of debate; also, the continuing appropriations resolution which was discussed earlier today by the distinguished chairman of that committee; H.R. 17685, to amend the Atomic Energy Act of 1954, an open rule, with 1 hour of debate, and waiving points of order; H.R. 16076, to amend the Federal Water Pollution Control Act, with an open rule, 2 hours of debate.

Mr. Speaker, these will not necessarily be called up in the order in which I have listed them on the whip notice.

Mr. GERALD R. FORD. Would the gentleman respond to this question, in the light of the statement just made: Can we assume that the Economic Opportunity Act amendments will come up first?

Mr. BOGGS. Yes, I can assure the gentleman that the first order of business on Monday will be the rule on the Poverty Act, to be followed by the debate on the bill, until such debate is completed.

Mr. GERALD R. FORD. But after that, then the bills might come up in a different order from that listed?

Mr. BOGGS. Exactly. As I pointed out, a rule has not been granted on the tax bill, for instance.

Mr. GERALD R. FORD. Can we assume there will be no rules under the 21-day rule to come up on Monday?

Mr. BOGGS. I can assure the gentleman that no 21-day rules will be called up on Monday.

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

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. I wonder if the gentleman could help me with this question: Is it too soon to make a pilgrimage to the distinguished Speaker of the House to seek permission to erect a Christmas tree out in the lounge, where the Members may have an opportunity to see it and properly decorate it?

Mr. BOGGS. The gentleman from Iowa has the Christmas spirit, I may say, rather early, but I commend him.

ADJOURNMENT TO MONDAY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to dispense with business in order under the Calendar Wednesday rule on Wednesday next.

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

There was no objection.

COMMITTEE ON AGRICULTURE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight, September 23, to file certain reports.

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

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. ROONEY of New York. Mr. Speaker, earlier this afternon, on rollcall No. 300, I am recorded as not voting. I was not present. I did not vote for the reason that I was on official business at the White House.

REVISED FINANCIAL INSTITUTIONS SUPERVISORY ACT OF 1966 TO SUPERSEDE H.R. 17703

Mr. PEPPER. 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. PEPPER. Mr. Speaker, I have introduced a clean bill dealing with the topic of supervisory powers of Federal regulatory agencies in the savings and loan and banking fields. This bill will bear the short title of the Financial Institutions Supervisory Act of 1966. I introduced a similar bill on this subject on September 13, 1966—H.R. 17703—concerning which I had the privilege of presenting testimony to the House Committee on Banking and Currency on September 20. That bill was also sent by the committee to interested Federal agencies for comment. It is in the light of those comments as well as some offered by my distinguished colleagues on the Committee on Banking and Currency and members of the savings and loan industry that I have decided to introduce the clean bill I am now offering.

This new bill would confer on the Federal regulatory agencies in the financial institution field more intermediate power than would H.R. 17703.

The major change in this respect is the introduction of authority for the regulatory agencies to issue temporary cease and desist orders in instances where they determine that a violation of law or regulation will jeopardize the safety or soundness of a financial institution and that the more lengthy proceedings leading to a final cease and desist order will not adequately protect the assets of the institution. In such an event, the bill would empower the agency to issue without an administrative hearing a temporary order to cease and desist from the violation. The temporary order would take effect upon service and remain in effect until changed by the Federal agency or a court. To provide adequate safeguards to the institution affected by such an order, the bill would afford it the choice of requesting the agency for a full administrative hearing or of petitioning a Federal district court within 10 days after service of the order for review of the temporary order, provided the institution is complying with the order at the time it takes either course of action. The court would receive whatever record of proceedings existed at that time. The court would have jurisdiction to determine issues of law and fact and enter an appropriate judgment concerning the order. In order to meet the Federal Home Loan Bank Board's objection that under present law, a court can quickly set aside an order issued by the Board, the bill would prohibit the court from staying the operation of the temporary cease and desist order during the first 60 days after the court receives the institution's petition for review if the case is not disposed of within that period. In fairness to both parties to such a controversy, the case would be given preferential status in the court in order to expedite its settlement.

I should note that the bill will leave with the court its usual prerogative to hand down a judgment appropriate to the circumstances. This may include an injunction against further proceedings by the agency in the particular controversy involved. It appears to me that this is a fair division of authority, because it is the agency, not the institution or the court, that makes the decision to issue a temporary cease-and-desist order. Once the agency has made that decision in the preemptory fashion permitted it seems only fair to afford the institution involved opportunity to request further hearings before the agency or to transfer the controversy to the Federal court. In a regular cease-and-desist proceeding leading to a final cease-and-desist order following an administrative hearing, the bill provides no recourse to the courts for the institution until after service of the final cease-and-desist order.

The other major change made in this bill compared with H.R. 17703 is that dealing with appointment of conservators and receivers. The Federal Home Loan Bank Board raised objection to that portion of H.R. 17703 that would require the Board to obtain a Federal district court order before appointing a conservator or receiver to take control of a Federal savings and loan association.

Under present law, in an emergency the Board may appoint a supervisory representative in charge ex parte and without notice to the institution involved to take control of the institution for a limited period as specified in the law. As passed by the Senate, S. 3158 would abolish the post of supervisory representative in charge. In his place it would empower the Board to appoint a conservator or receiver ex parte and without notice to the institution involved, even in the absence of an emergency. The tenure of the conservator or receiver would be indefinite, not limited by statute, as is the tenure of a supervisory representative in charge.

The bill I am introducing would continue the procedure in Federal law for the Board itself to appoint a supervisory representative in charge ex parte and without notice for a limited tenure, if the Board determines that an emergency exists that requires immediate action.

Having provided this tool for the Board's use in an emergency situation, the bill retains the requirement of H.R. 17703 that a more permanent conservator or receiver be appointed only after the Board has demonstrated to a Federal district court that statutory grounds for such appointment exist. As the Board itself has noted, appointment of a conservator or receiver is a somewhat drastic remedy and should be embarked upon only after deliberate considerations with enough prima facie evidence to convince an unbiased member of the Federal judiciary that this drastic remedy is warranted.

With introduction of a procedure for issuance of temporary cease-and-desist orders, the bill dispenses with the procedure provided by H.R. 17703 that allowed an institution to apply to a Federal district court for an interlocutory injunction restraining Board action any time following service of a notice of a cease-and-desist proceeding.

The new bill also clarifies the continued exclusion of managerial functions from the operation of cease-and-desist orders by expressly pointing out that this exclusion is intended to refer to managerial functions as distinguished from supervisory functions. It is my understanding that the Board makes no claim to any need for exercising management functions of a savings and loan association in order to accomplish the purposes of S. 3158 through the intermediate power tools the Board seeks to obtain. Managerial functions should remain with management, where they belong in an industry community oriented and operated as a private enterprise serving a public purpose. The area of actionable concern of the Federal regulatory agency should appropriately be limited to matters of supervisory functions. As has been noted in the past, the Board should act as the supervisor, not as the manager of the association.

The Board represents that S. 3158 "represents a conscientious effort to provide additional intermediate remedies to the supervisory agencies, without sacrificing essential judicial safeguards for the rights of the institutions or of other persons concerned." I believe that the

bill I am introducing will meet this test laid down by the Board insofar as any presently demonstrated need for such additional intermediate remedies is concerned.

My bill purposely omits provisions contained in S. 3158 that for the first time would empower the Board to suspend and remove officers, directors and certain other personnel of federally and State-chartered savings and loan associations. If the personnel involved is inept, management of the association will handle the problem in the normal course of business activity. If the personnel in rare instances is guilty of criminal offenses in connection with operation of the association, there exists a whole body of criminal law with adequate sanctions to punish those convicted of such offenses in accordance with the traditional Anglo-Saxon due process safeguards. I have yet to be convinced that the Federal Home Loan Bank Board requires any authority as to personnel that it cannot exert with due application of powers it presently possesses.

I believe that my bill will supply the Federal regulatory agencies in the financial field with the intermediate cease-and-desist powers they should have, while at the same time adequately safeguarding the rights of institutions and their personnel through opportunity for timely and adequate recourse to the judiciary.

I encourage each Member of the House to deliberate upon this topic and to support the bill I am introducing in preference to S. 3158 as passed by the Senate on August 22.

BIRTHDAY SALUTE TO MALI

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, today is the sixth anniversary of the Republic of Mali and, as chairman of the Subcommittee on Africa of the Committee on Foreign Affairs, I am happy to extend hearty congratulations and sincere good wishes to the Government and the people of that young and proud nation in Africa.

The Republic of Mali, which covers an area somewhat smaller than Alaska, is in the interior of western Africa and borders seven different countries, all of which are former French territories.

Mali is steeped in history. Mali is partial heir to the succession of great African empires that formerly occupied the upper valley of the Niger. These empires were in touch with Medditerranean and Near Eastern centers of civilization by way of the trans-Saharan caravan routes.

The old Kingdom of Mali, from which the present Republic takes its name, was founded around the year 1200. Its ancient capital stood on a site near the present capital of Bamako, and its realm extended as far as Timbuktu and Gao.

On September 22, 1960, the colony of Soudan proclaimed itself the Republic of Mali and withdrew from the French community.

Mali is a predominantly agricultural country. The first 5-year plan was intended to encourage industrial growth by improving the infrastructure. Of all those resources deriving from the land, Mali's greatest potential is in its livestock—more than 10 million head, of which 3 million are cattle and 7 million sheep and goats.

At the present time she has no appreciable mineral wealth, but as in other parts of Africa there is a possibility that known deposits of manganese, bauxite, and other minerals may prove economically exploitable.

It is the wish and expectation of the United States that Mali will achieve its aspirations in harmony with the other developing nations of Africa.

The Malian delegate to the United Nations last year, the Honorable Ousman Ba, stated his country's policy in his speech in general debate before the 20th session of the General Assembly as follows:

> The delegation of Mali is happy to note that common sense and our common will to continue to work together in the achievement of the noble ideals of the Charter have made it possible for us all to overcome passions, national chauvinism and pride so that the United Nations might continue to live in the best interests of all mankind.

It is my personal pleasure to extend my felicitations to the President of Mali, the Honorable Modibo Keita, and the Malian Ambassador to the United States, His Excellency Moussa Leo Keita, with whom I became personally acquainted at the United Nations last year.

AMENDMENT TO THE INTERNAL REVENUE CODE

Mr. DON H. CAUSEN. 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 California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, I am today introducing legislation which would amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income certain educational expenses.

It has come to my attention that the Internal Revenue Service has proposed that expenses incurred by teachers obtaining advanced degrees will no longer be tax deductible, a policy that will work a definite hardship on our teachers, since most State and local governments are encouraging, if not requiring, teachers to obtain additional training.

In my opinion, if we are going to encourage better education through Federal action in many areas, it seems incomprehensible that we should neglect this simple device of tax deductions which can be accomplished through a clearer interpretation of existing law.

I am sure we will all agree that teachers should be encouraged to increase their knowledge and training. We would all agree as to the importance of competent and well-trained teachers in our educational system. We would also agree that teachers should be given every incentive to gain new knowledge of teaching techniques. Certainly, one way we can do all of these things is by clarifying the Internal Revenue laws and regulations so that teachers will, by law, not regulation, be permitted to deduct from their gross income any proper expenses for educational purposes relating to teaching activities.

I have been requested to support such legislation by Mr. Walter Egan, assistant superintendent of curricular services, Sonoma County Schools, Santa Rosa, Calif. I have reviewed H.R. 17757 introduced by my colleague, Congressman WILLIAM CRAMER, and find myself totally in accord with its provisions.

While I realize it would be the height of optimism to anticipate passage of this legislation this year because of the lateness of the session, by this action today, I have seen fit to coauthor this legislation, thereby placing myself on record in support of this very important and very necessary legislation.

I call upon Congress to give this legislation its closest attention.

REPUBLICAN WHITE PAPER ON VIETNAM

Mr. BOLAND. 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 Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, in the past few days we have witnessed a bit of a flap on the so-called white paper issued by the Republican research and planning committee relative to the administration's handling of the war in Vietnam. The pamphlet is considered a flop by some responsible editorial writers in the Nation. One of the most devastating attacks on the Republicans research and planning paper comes from the New York World Journal Tribune.

Mr. Speaker, I include the editorial of Wednesday, September 21, 1966, in the RECORD at this point:

EMPTY-HANDED GOP

House Republican leaders have disgorged a document whose timing makes its purpose altogether clear. That purpose is to exploit widespread discontent over the Viet Nam war by labeling it, in effect, as Johnson's war.

Significantly, the new document omits portions contained in last year's model, which urged all Americans to support the war effort in order to defeat Communist aggression and assure South Viet Nam's freedom and independence.

Instead, the emphasis is on the deepening commitment, involvement and risks that have evolved under the Johnson administration.

It's the privilege of the Republican establishment to make what hay it can out of the administration's miseries—but a sense of

responsibility should also impel a loyal opposition to set forth alternatives.

Avoiding resemblance to either hawk or dove, about the best the GOP manifesto offer is that there must be some way to end the war "more speedily and at a smaller cost" while still "safeguarding the independence and freedom of South Viet Nam."

Negative and nebulous all the way, it ends up as a nothing document. Once again Republicans seem determined to prove Harry Truman was right in saying that, like their party symbol, they never forget anything and never learn anything.

Negativism throughout the Roosevelt years kept the GOP perpetually in the doghouse. It took a political miracle, passed by an unbeatable war hero, to rescue the party from its 20-year exile.

If, after the debacle of 1964, Republicans want to spend another generation in the doghouse, they're going about it just right.

The Viet Nam document confected by House Republican leaders is a perfect example of the empty-handed non-leadership that may scare up a fat fistful of "agin" votes—but will scarcely impress thoughtful voters who examine the wares of political challengers for signs of positive, constructive alternatives.

ATTENTION CALLED TO A MOST SIGNIFICANT REPORT BY THE HOUSE ARMED SERVICES COMMITTEE

Mr. GROSS. 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 Iowa?

There was no objection.

DECEPTION AT ITS WORST

Mr. GROSS. Mr. Speaker, I call attention to a most significant report by the House Armed Services Subcommittee, which is headed by the gentleman from Virginia, Representative PORTER HARDY. It is a unanimous report by some of our colleagues who are deeply concerned about the way the Defense Department is administering the so-called cost-reduction program. All of us are interested in cost reduction, and the subcommittee members emphasize that they were working on cost reduction in defense a good many years before Mr. McNamara was fiddling with the problems of the Edsel at the Ford Motor Co.

Undoubtedly, the cost-reduction program has resulted in some savings, but the House Armed Services Subcommittee is troubled over the "degraded military capability" that has accompanied some of the "inordinate pressure" to cut costs. There is a fear that Mr. McNamara's image-building activities are not taking precedence over what our military leaders believe is necessary for our armed services. The subcommittee indicates that McNamara is using a "secret" label to hide the facts from the American people, and to try to keep the Hardy subcommittee from making the full facts known.

It was shocking to read some aspects of the report for it demonstrates the worst in news management through those phony press conferences in which McNamara claimed he saved the taxpayers $14 billion in the past year. I wish he had saved that much, but the Hardy subcommittee has demonstrated that it is mostly ballyhoo and misrepresentations by McNamara and his press office.

I would call attention to the evidence that there is nothing really new about McNamara's cost reduction operation except that he has centralized the operations of activities that were in being in the Army, Navy, and Air Force. He has spent more money and time accumulating a lot of exaggerated figures on savings and he has spent a lot of money printing expensive brochures and mimeographing voluminous graphs to try to demonstrate that he has saved $4 billion to $5 billion a year. The Hardy subcommittee states that it just is not so, and that all of the phony business is in danger of undermining proper cost reduction efforts. But, most significant is the fact that the unanimous report shows a deep concern over measures that are undermining our defense posture. The fact that the United States has a force that is superior to that of the Vietcong should not lull us into any false security relative to the condition of our Armed Forces.

Experienced men on the Armed Services Committees have raised warning signals in a series of reports, and I think it is time for the Congress and the American people to take a closer look at what is going on under McNamara.

Mr. Speaker, I say again that the entire report should be must reading for everyone in Congress. I would call special attention to the case of "the substitution of the M–107 projectile in lieu of procurement of the M–470 projectile." The committee finds that in this instance, McNamara is trying to clothe a "failure in the shining garb of a claimed multimillion-dollar cost reduction item and present it to the public as evidence of management excellence." This is deception at its worst.

Mr. Speaker, the following newspaper article by one of Washington's most astute newspaper reporters, Mr. Clark Mollenhoff, of the Des Moines Register, provides additional information on the exposure by the House Subcommittee of the deceptive techniques that have been used by the Secretary of Defense:

MCNAMARA GETS REBUKE ON SAVINGS

(By Clark Mollenhoff)

WASHINGTON, D.C.—Defense Secretary Robert McNamara was blamed Friday for forcing "cost reduction actions that have had a significant adverse effect on our defense structure in terms of degraded combat potential."

The charge was made in an unanimous report by a House Armed Services Subcommittee that has been investigating McNamara's claim that his cost reduction program has saved the government $14 billion in the last five years.

"FALL SHORT"

Chairman PORTER HARDY (Dem., Va.) said that McNamara's cost reduction program has undoubtedly resulted in some significant savings, but "its true accomplishments fall considerably short of the results publicly claimed."

HARDY said he and other members of the subcommittee had been pressing for effective cost reduction steps for years prior to the McNamara era, and that they thought a "properly administered" program could be a powerful weapon against waste and extravagance in government.

The subcommittee recommended that immediate steps be taken to correct the cost reduction program and to bring about "a more credible reporting of its accomplishments."

The subcommittee's investigations started in August, 1965, and resulted in hearings in July, 1966.

Auditors for the General Accounting Office had testified that about one-third of the savings McNamara claimed in 1964 and 1965 did not meet the criteria that he had established, and cases involving another one-third of the savings did not have documentation to support the claims of billions in savings.

"SHARP CONFLICTS"

"The evidence also strongly suggests that these actions (which degraded military capability) would not have been taken by the services had it not been for inordinate pressures from the OSD (McNamara's office) to report large savings," the Hardy report stated.

The report said there were "sharp conflicts between military services and the secretary of defense" with respect to certain military requirements.

"Generally, in such cases military judgments have bowed to civilian dictates," the subcommittee stated.

"The subcommittee has evidence that the OSD, in exercising its dominant power, has at times taken unnecessary risks and committed the services to an unwise and precipitous course of action."

In recent months, McNamara has been subject to sharp congressional criticism on a number of important decisions concerning the TFX warplane (now designated the F–111A and F–111B), the phaseout of the B–52 and B–58 bombers, and the lack of progress on a nuclear-powered fleet.

However, it is doubtful that any of the comments on these decisions had more bite than the report of the Hardy subcommittee.

The Hardy subcommittee accused McNamara of unjustified use of national security classifications to bar the subcommittee from making public key documents that it says demonstrate how U. S. military capability has been degraded.

"Our efforts have been unsuccessful. OSD has taken the position that public disclosure would result in 'comfort to our enemy,' but, undoubtedly the enemy derives more comfort from our attenuated military capability resulting from the combat use of inferior weapons," the subcommittee said.

"Public disclosure of the facts could do much to bring about an improvement in the decision making process responsible for the above condition.

"A skeptic might question whether disclosure in such a situation could adversely affect the national defense or merely the public image of the decisionmakers."

The Defense Department claimed savings of $32,575,000 in fiscal year 1965 on the basis of a decision by McNamara that the Navy and Marine Corps could accomplish their mission with fewer F–4 aircraft.

McNamara cut the number of aircraft in each squadron from 14 to 12 despite the protests of the Navy. He figured that increased firepower in the F–4 made it possible for 12 planes to do the job of 14. The Navy said it was an erroneous judgment.

The defense secretary also decided to continue the less capable F–8 aircraft on some classes of carriers rather than replacing them with the superior F–4. He also cut the number of F–4s assigned to training missions.

DEGRADED EFFECTIVENESS

In the face of the warnings, McNamara went ahead with the reduction in new planes,

and then claimed a savings of $32,575,000. The subcommittee found this to be a degrading of combat effectiveness.

The report also said testimony developed that McNamara, or someone in his office, had on a number of occasions ordered substantial claims of savings of as much as $50 million after Army auditors had said such claims could not be justified.

Other claims of "savings" were admitted by the Army, Navy, Air Force and Marines to be no more than a use of excess inventory, or a normal prudent management decision. McNamara's office established a criteria that made it possible to list such things as "savings."

FEDERAL ANTIRIOT LEGISLATION

Mr. FASCELL. 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. FASCELL. Mr. Speaker, I am today cosponsoring a bill which would make it a Federal offense to move in interstate commerce or to use any facility in interstate commerce, including the mail, in order to incite to riot or to carry on a riot or to commit any crime of violence, arson, or bombing in the course of a riot.

This bill is substantially the same as the amendment to title V of the 1966 civil rights bill offered by the gentleman from Florida [Mr. CRAMER] and adopted by the House.

There are sufficient indications, Mr. Speaker, that professional, outside agitators have traveled interstate for the purpose of inciting to riot.

The weapons that have been used during riots—firearms and Molotov cocktails—and the tactics employed to utilize these weapons to greatest effect suggest that there are people conducting guerrilla training. And these weapons and sniper tactics have been utilized in similar ways in different cities where riots have occurred.

But the factor which renders Federal antiriot legislation even more urgent is the evident willingness of thousands of individuals in our cities who respect neither persons nor property to become part of a mob, to cast off all fear of legal consequences by submergence in the mob, and to express their frustration and hostility through the action of the mob.

The most appalling revelation of the riots which have occurred during the past three summers is the propensity of large numbers of people in cities toward violent, mass action.

It is our duty as legislators to see, Mr. Speaker, that this propensity toward violent, mass action constitutes a standing invitation to the professional agitator and demagog who knows how to exploit hostility and to weld people together into a mass.

Riots have not been limited to one city or to one section of the country. Riots have been nationwide—they have hit Los Angeles and Chicago and New York and Atlanta. And there is every reason to believe that agitators and demagogs are prepared to exploit the propensity to violent, mass action on a nationwide scale.

Our cities and States have primary responsibility for protection of persons and property. But we are confronted with a nationwide threat to public order, and it is imperative that Congress exercise its powers under the interstate commerce clause to forestall those who would reduce our country to a shambles for their own power and glory or who would substitute violence and destruction for constructive action in the necessary effort to obtain constitutional guarantees and racial harmony.

WELCOME TO TWO GREEK ARTISTS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is a privilege and pleasure to welcome to the United States as permanent residents two renowned artists who give vitality, warmth, and dramatic meaning to the cultural bonds that unite the ancient democracy of Greece with our Nation, so much younger but which today is the defender of democracy throughout the world.

Manolis Hiotis and Mary Linda Hiotis are outstanding masters of the music of modern Greece, whose fame has penetrated all the countries of Europe, and whose coming to our shores to share their lot with ours is an event not only to our countrymen and countrywomen of Greek birth or descent but to all Americans dedicated to the building of our cultural treasury.

Manolis Hiotis was born in the year 1921 in Nafplion, Greece, and has devoted his life to music. He is the composer of modern Greek songs, both the poetic lyrics and the vibrant music. His songs have been recorded on many labels that are internationally distributed. He has held executive posts with recording companies and is the president of the musicians and composers union or society of the country of Greece.

Together with his wife, he has performed the lead role in over 30 major motion picture films. Since the age of 17, he has performed throughout Greece, Egypt, Turkey, Europe, and the United States as well. A screen and theater personality, he has starred on radio and television, and is acknowledged as the father and the master of the typically Greek instrument, the "Bouzouki." He is a foremost recording star of Greece and the Mediterranean and has recorded over 1,000 popular "hit records," all of which constitute for the country of Greece, the equivalent of our "million copy" recordings.

His wife, Mary Linda Hiotis, is in her own right a star of music, motion pictures, theater, and television. She was born in Pyrgos, Greece, and has lived in the city of Athens where she attended school and at the age of 8, performed at the prominent Athenian theater, "the Alcazar Theater." From the age of 8 to 18 while she attended the school of music during the day, she would in the evening appear and perform in the theater.

In school, she studied both classical and modern music and dancing and at the age of 18, she became the performing partner of Manolis Hiotis, who was destined later to become her husband. She as a duet with Manolis Hiotis has recorded over 1,000 popular "hit" songs of modern Greece.

In the year 1962, in the international "Festival of Greek Songs" which took place in Athens, she sang the newly composed song, "Apagogi" which then became an outstanding success throughout Greece and the Mediterranean and was awarded the first prize. Prior to 1962, she similarly performed in the "Athenian Festival" again in an international competition, where for her appearance and singing of the Greek song, "Athena Kori Tou Ouranou", which translated means Athens, daughter of the sky, she again received the first prize. She has performed in Greece, Turkey, Egypt, Europe, and throughout the United States.

In the country of Greece, she has performed in every outstanding theater and every prominent nightclub. In motion pictures, she has starred with Manolis Hiotis in over 25 motion pictures.

All in all, Mary Linda Hiotis has recorded over 600 popular "hit" songs. I know that I speak for all of my constituents of Greek descent, of music lovers everywhere, and for many of my colleagues when I say, "congratulations to Manolis Hiotis and to Mary Linda Hiotis" on being granted their permanent residency and a sincere and most heartfelt welcome to the United States of America. They both possess exceptional and rare qualities and will advance the national cultural interests of the United States.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tomorrow night to file a report.

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

There was no objection.

BULGARIAN NATIONAL MEMORIAL DAY

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. BOLTON] 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 Illinois?

There was no objection.

Mrs. BOLTON. Mr. Speaker, free Bulgarian people all around the world will tomorrow celebrate their National Memorial Day and commemorate the death of a great hero, Nikola Petkov, at the hand of Communists.

On the morning of September 23, 1947, Petkov was secretly executed by Communists who had seized the Government through treachery. Because they feared the wrath of the people, he was killed at an unusual hour, after turning down a last chance to sign a petition in which he declared his "repentance."

When the Nazis were driven out of Bulgaria, Nikola Petkov and other Bulgarian patriots had taken part in the first coalition government. Petkov and others fought relentlessly against Communist violence and duplicity. Eventually he was charged with conspiracy against the Communist state and the Soviet Union. They called him an agent of Anglo-American capitalism.

Since his death September 23 has become a national memorial occasion. Each year free Bulgarians meet in memory of those who lost their lives struggling for the freedom of their country and renew their dedication to restore liberty and independence to their country. It is a privilege to pay tribute to these courageous people and to join in the hope that the day of freedom lies close at hand for captive Bulgaria.

SURVEY SHOWS PACKAGING BILL WOULD BOOST FOOD PRICES

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. MAY] 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 Illinois?

There was no objection.

Mrs. MAY. Mr. Speaker, as I have contended, the proposed Federal packaging legislation which passed the Senate and has been the subject of extensive hearings in the House Committee on Interstate and Foreign Commerce, would result in higher food prices in exchange for very little benefit.

My colleagues, I feel, will be interested in a survey just completed by Modern Packaging magazine, which shows that packagers are opposed to this bill on a number of practical grounds—not the least of which are that it will increase the price consumers pay for packaged goods and that it will decrease consumer choice in the marketplace.

Since I believe this article might well be studied by every Member of Congress, I have asked unanimous consent that it be reprinted at the conclusion of my remarks.

It should be noted that industry—packagers and their suppliers—has already expressed its willingness to clarify any potential areas of consumer deception. This is most evident in the new model State regulation, which was developed by the National Conference on Weights and Measures with the full and enthusiastic participation of the packaging field.

This regulation, which is in force in many States and therefore is binding on any packager which deals in interstate commerce, constitutes the first nationally uniform and nationally enforceable definition of "clear and conspicuous" labeling. It includes a specific table of type sizes for the net-weight statement in relation to the main-panel area of a package, and it provides for definite contrast of the contents statement with the label background. Complaints about illegibility of the contents declaration have constituted the bulk of the "deceptive packaging" problem. I feel that the model State regulation—together with adequate enforcement of existing Federal law—obviates any need for further Federal legislation.

The following, Mr. Speaker, is the article referred to in the October issue of Modern Packaging magazine:

HART BILL: A 'VETO' BY PACKAGERS

(As House hearings proceed, a national survey by Modern Packaging reveals bitter conviction among packagers that pending Federal control would result in higher prices and a sharp cutback in competition.)

The marathon "Fair Packaging & Labeling Act" still is being debated in the U.S. House of Representatives as Modern Packaging goes to press. The prospect of it becoming law this year is uncertain, although Administration backing of "consumer-protective" measures indicates that some form of new packaging legislation is likely.

But there's nothing equivocal about industry opinions of the so-called "Truth in Packaging" bill recently passed by the Senate. In a heavy response to a nationwide mail-questionnaire survey by Modern Packaging, consumer-goods packagers and industry associations are virtually unanimous in attacking the measure as unwarranted Federal control of private enterprise and as a device that would defeat the very purpose it is ostensibly designed to serve: helping consumers make a more rational choice at the point of purchase.

A scant 3 percent of the respondents to our survey say the bill would benefit supermarket shoppers. By contrast, 74 percent say it would lead to higher retail prices, 69 percent say it would limit the variety of products and package sizes available to consumers, 49 percent say it would hamstring packaging innovation and 37 percent say it would reduce competition by driving out of business small companies which depend largely on unique packaging or by eliminating product or package lines which serve a statistically small—but nonetheless significant—minority of consumers (see table on this page).

CONTROL BEGETS CONTROL

Fear that the looming Federal packaging law would serve as the springboard to ever more restrictive regulations is expressed by an overwhelming majority (89 percent) of respondents.

W. H. Frey, president of the Puritan Chemical Co., raps the measure as "simply another extension—and a needless one at that—of the Federal Government's power in regulating business." Veteran designer Robert Sidney Dickens has this warning: "We view this bill as the foot in the door. The foot gets bigger and the door opens wider; therein lies the danger." He echoes the feelings of packager respondents by adding that, "in virtually all cases, present laws cover what the Hart Bill re-covers."

Our survey reveals that packagers are gravely concerned about the dangers inherent in Section 5(c) of the Senate-passed bill, which grants to the Food & Drug Administration and the Federal Trade Commission discretionary authority to promulgate regulations establishing package-size and serving standards, controlling "cents-off" labeling and requiring full disclosure of ingredients on the label.

Even the small minority of respondents who say that there is a need for rectification in these areas point out that legal machinery to achieve it already exists, and that a new law would be needless duplication.

The viewpoint of the majority of packagers is summed up by F. T. Pickerell, marketing coordinator of the Rexall Drug Co.: "Granting Federal agencies further power to regulate without controls from an objective source is frightening. Under the most strict application of uniformity, the tea bag would never have been introduced, unit packaging would be unheard of and millions of dollars in new business would not have been generated."

Development of standards by Federal agencies, says Milan D. Smith, executive vice president of the National Canners Assn., "would retard innovation and imagination in the development and marketing of grocery products, and add measurably to the prices paid by consumers." An anonymous food packager warns that "to empower regulatory agencies to establish package-size standards would ultimately subject the consumer to drab uniformity and would stifle competition."

"VOLUNTARY" RULES: THE ARMY GAME

A subsection which would provide for the voluntary development of such standards by industry under Government supervision is disapproved by a whopping 97 percent of the respondents to our survey. Industry's feelings are capsulized by E. Scott Pattison, manager of the Soap & Detergent Assn.: "The provisions for industry development of 'voluntary' standards do not really permit such freedom—except as it is possible to volunteer the day before you are drafted."

An equally strong reaction comes from George W. Koch, president of the Grocery Mfrs. of America: "It appears that a Federal agency may propose a rigid and restrictive package-size standard simply on a subjective finding that such action will facilitate price-per-unit comparison. The fact is that unwilling manufacturers may be compelled to abandon a number of established size categories which by sales experience have been shown to represent distinct consumer markets."

Several industry representatives also bring up the interesting point that a wet blanket is thrown over competitive enterprise by the bill's requirement that administrative hearing would be necessary to obtain permission for new container designs, shapes and sizes.

Says Aaron S. Yohalem, senior vice president of the Corn Products Co.: "By the time hearings are completed, with the attendant broadcasting of our ideas, all competitive advantages will have been lost; the traditional benefits of being first would be lost." A similar opinion is expressed by Arthur E. Larkin, Jr., executive vice president of General Foods, which has a long record of packaging innovation. Provisions for standards regulations, he says, "would retard further development of convenience foods and further advances in package design which add important consumer values."

STATE LAW OUTLAWED?

Packagers also are solidly ranked, our survey shows, against a provision of the Fair Packaging & Labeling Act which would "supersede any and all laws of the State" which differ from it with regard to packaging and labeling practices.

No less than 87 percent of the respondents predict that this requirement would wreak costly havoc with present labeling standards, since indications are that Federal rules (not yet established in detail) might differ significantly from those of the recently issued Model Regulation on conspicuous labeling, which was developed with industry cooperation by the National Conference on Weights & Measures. The Model Regulation—which

has been adopted by the majority of the states and is binding upon any packager who ships across state lines—is the first official national definition of "clear and conspicuous" labeling and includes a table of type sizes for the contents statement in relation to main-panel area (see MP, Aug. '65, p. 114).

Says E. Jerome Webster, Jr., director of member services of the National Assn. of Frozen Food Packers:

The National Conference has done an outstanding job of developing labeling regulations for the states. The authority which the Hart Bill would vest in Federal agencies to invalidate these laws would be disastrous." Rexall's F. T. Pickerell characterizes the Model State Regulation as "fair to both consumers and packagers; it contains all of the practical provisions asked for by thoughtful consumer groups."

It should be noted that packagers replying to our survey agree in principle with certain sections of the Fair Packaging & Labeling Act. For example, 71 percent agree that the net-weight statement should appear parallel to the base of the facing panel of a container, and 54 percent approve the elimination of qualifying words or phrases (such as "jumbo quart") that tend to exaggerate the amount of product in a package.

But even here, packagers point out that if existing Federal laws were adequately enforced, abusive examples would quickly disappear from retail shelves. And 63 percent of the respondents challenge the measure's provision for an "ounces-only" statement of net weight (except for exact units of pounds, pints or quarts) on the ground that state laws require contents to be stated in basic weight units plus fractions thereof. Most packagers agree that the ounces-only provision would be more confusing than helpful. "Is '40 oz.' easier to understand than '2½ lbs.?'," asks one respondent.

In view of the furor over "cents-off" labeling promotions, it is interesting that 94 percent of packagers in our survey defend this practice as a legitimate competitive tool which is controlled adequately by present law. A typical comment is this from William R. Tincher, president of Purex Corp.: "These methods of the producer reaching the consumer directly with price reductions are to the consumer's benefit. If they are outlawed, the consumer is hurt. It is as simple as that. And if they are outlawed, the small or new packager will be hurt far worse than the larger producers—a result diametrically opposed to our antitrust history, philosophy and practice."

DON'T CONFUSE ME WITH FACTS

All of the foregoing observations have been made time and again during the past five years by packaging-field representatives testifying before Senate (and now House) committees. Our survey reveals a general resignation by packagers to the fact that packaging and labeling legislation is recognized in Washington as a sure-fire vote-getter, since it gives the impression that lawmakers are going to bat for the burdened consumer. "Political heroism," one packager calls it.

The president of a major packager of dry foods reflects bitterly that "The general attitude in Washington appears to be: 'Don't confuse me with the facts; my mind is already made up'." R. A. Hickman, manager of the U.S. Government Marketing Department at the Dow Chemical Co., says: "The Fair Packaging & Labeling Act charges industry with crimes that do not exist and therefore cannot be defended." And A. H. Funke, vice president of the P. J. Ritter Co., observes that "If we haven't made a dent in Congress now, I doubt if we will at this late date."

HOUSE HEARINGS: SUMMER RERUN

Meantime, in Washington, the House Committee on Interstate & Foreign Commerce has been holding hearings on the Senate-approved Hart Bill (S. 985) and a companion measure (H.R. 15440) introduced by committee chairman HARLEY O. STAGGERS (D., W. Va.). They dragged on into late August, generating much heat and little light.

It was largely a case of word-weary packaging representatives coming back (some for the third or fourth time) to restate the defenses and pleas for understanding which they had made at earlier hearings. Government officials also made return visits in favor of new legislation.

For all its repetition, the House hearing did have its sparkling moments. Rep. CATHERINE MAY (R., Wash.) attacked the legislation as "legally superfluous, technically inexact and an inflationary time bomb for the American consumer." She said proponents "have obviously tried to exploit what might be described as the average male Congressman's innate terror of organized womanhood."

William C. Battle, president of the Premium Advertising Assn. of America, said the voluntary standards procedures contemplated by the new packaging legislation would be excessively costly to Government and industry and could only be achieved by protracted litigation. A certain result, he added, would be restricted research and development, to the detriment of consumer choice.

The folly of setting package-size standards to facilitate price comparison was illuminated by Harry F. Schroeter, packaging vice president of National Biscuit Co. He pointed out that Nabisco markets 15 varieties of crackers in the same-size carton, even though product weight varies from 8 to 10½ oz. To package them all at 8 oz., he said, a different packaging line would be needed for each product. "Just one such new line requires an investment in plant and equipment of almost $400,000 and a building area of approximately 4,800 square feet."

While it is conceivable that an industry giant could support such an investment, said Edward J. Hekman, president of the Keebler Co., smaller companies would almost surely go under. He added: "I am baffled by the fact that legislators who are concerned about the bigness of some businesses have found it reasonable to support legislation which would lessen the chances for survival of smaller ones."

Government officials appearing in support of the bill included (among others) Secretary of Commerce John T. Connor and Mrs. Esther Peterson, special Presidential assistant for consumer affairs. Secretary Connor argued that the measure would help packagers by assuring that all competitors would have to adhere to high packaging and labeling standards. Mrs. Peterson suggested that the bill would enable packagers "to compete on quality and price . . . rather than irrelevant packaging gimmicks."

A further report on the situation will be carried in a forthcoming issue of Modern Packaging.

LET US ATTACK POLLUTION AT ITS SOURCE

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROBISON] 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 Illinois?

There was no objection.

Mr. ROBISON. Mr. Speaker, when Congress passed the Federal Water Pollution Control Act in 1956, it became irreversibly committed to the herculean task of helping restore America's streams, rivers, and lakes to a level suitable for industrial, agricultural, and recreational use and enjoyment. Congress awakened the country to the imminent dangers and spread of pollution, and activated and stimulated local and State instrumentalities to join with the Federal Government in its attack on the Nation's No. 1 domestic blight. The response to the challenge has been heartening, but the job to be done, the job that must be done, is monumental. For example, it no longer shocks, or awes, or even frightens the Congress to establish, or contemplate establishing, the eventual Federal commitment to the national pollution abatement program at $5 or $6 billion.

I am proud to point to my own State of New York—which under enlightened leadership, is in the vanguard among the States in this vital area—whose citizens, painfully aware of the magnitude of their own pollution problem, voted by an overwhelming 4-to-1 majority to spend $1 billion to return to the people the use of their fresh water resources which are, today, unusable for all too many purposes. Other States are similarly pledging themselves to the restoration of their water resources, and local municipalities have finally given their polluted water the high priority that it must have if we are to eradicate it.

While our pollution abatement efforts to date have been quite encouraging, Mr. Speaker, they simply are not enough.

Our rapidly expanding population and increased industrial and agricultural demand for clean water will place extraordinary burdens on our Nation's total fresh water supply. Since 1900, while our population has tripled, the demand for fresh water has increased eightfold, from 40 billion to 322 billion gallons a day. By 1980, our water needs will be a staggering 600 billion gallons a day, almost twice our present use. Thus the fact that the various levels of government have been spending larger and larger sums of money to clean up our Nation's waterways while not attacking pollution at its source seems, in my judgment, a dangerous gamble, especially in view of our future needs.

By and large the major source of pollution in the United States is industrial pollution. Industrial wastes increased from an equivalent of the sewage discharge of 15 million persons in 1900, to an equivalent of the sewage discharge of 150 million persons in 1960. While municipal sewage discharge increased threefold during those 60 years, industrial sewage discharge increased an amazing tenfold. In 1900, the average daily use of water for industrial purposes was 15 billion gallons. By 1960, it had increased to 159.9 billion gallons per day. By 1980, only 14 years from now, it is estimated to be an amazing 394.2 billion gallons per day.

These staggering statistics give substance to the paradox that the major user of clean water and the major polluter of that water is industry. To be sure, we must rid our waters of the filth that now pollutes them, and we have begun this task quite admirably. But

equally as certain, we must actively and positively move to reduce and prevent old and new polluters from accentuating and increasing the burden of present and future abatement facilities.

I hope the bill I am introducing today will be a giant step in providing our Nation's industry with sufficient incentives to construct the necessary pollution control works, thereby making it financially feasible for industry to assume its rightful responsibility in this field. The enormity of the problem involves estimated expenditures by industry in the billions of dollars to construct the sewage treatment works which are required to abate its pollution of America's rivers and streams. We can bring our goal of clean waters to fruition more rapidly if, as I hereby suggest, we give to industry the financial opportunity to build their necessary facilities without heavy financial burdens to them, or later and more indirectly, to the consumer.

We are approaching and confronting the problem of unfit waters in many ways. This is good, and even desirable, for the problem itself is quite complex and enormous—but not, Mr. Speaker, insurmountable. In the first session of this Congress, I introduced legislation that would create a national water resources trust fund within the Treasury, which could be used for water resources research and development. The source of the fund would be the difference between the face value of newly minted coins and the sum of their intrinsic value and cost of minting. This "profit" which, until now, did not exist to any appreciable extent, will amount to approximately $2 billion in the next 2 fiscal years due to the removal of silver from our coins, as provided for in the Coinage Act of 1965.

And now, Mr. Speaker, the bill I am introducing today amends the Internal Revenue Code to provide a tax incentive to industry for the construction of waste treatment works. Under the provisions of my bill, every enterprise, at its election, would be entitled to a deduction with respect to the amortization of the adjusted basis of any treatment work over a period of 5 years. This proposal, I feel, is a much more constructive way to prevent industrial pollution of our waters without being detrimental to the industries themselves than most of the proposals that have come to us from the administration.

The proposal I offer today will make this great domestic liability even less complex, reduce its enormity even further, and give to our Nation's growing industry the opportunity of doing its fair share toward realizing the goal—clean waters—prized by all.

THE PRESIDENT'S CLUB

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] 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 Illinois?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, apparently the Johnson-Humphrey administration has decided that the best course to follow regarding the recent disclosures involving the President's Club is to close their eyes, do nothing, and hope that the public will soon forget or at least lose interest until after the coming election. Unfortunately for them, but most fortunately for this country, neither the public nor the press have forgotten. In fact, each day there is new editorial comment regarding this important subject.

For example, in a recent editorial the Christian Science Monitor stated:

The President's Club raises suspicions of influence peddling and corruption, involving the highest office of the land. However reluctant he may be to give up a lucrative source of party income, President Johnson owes it to the people to preside at the dissolution of this club and to do it now.

In an editorial entitled "Let's Kill Off the President's Club," the Chicago Tribune noted:

As with the "Thousand-Dollar Club" of President Truman, to which cronies, five per centers, and fixers kicked in, the Johnson "President's Club" is merely an instrument for selling special favors and contracts. Those who "join" it are led to believe that their financial contribution entitles them to a pipe line to the White House.

And in an editorial entitled "Smoke-Filled President's Club," the St. Louis Globe Democrat pointed out:

As suspicion mounts that the President's Club is a clearing house for influence-peddling, the public has the right to know how much these Democratic party supporters have contributed, who they are, and to hear their statements, under oath. The smoke from the fire is getting pretty thick.

Mr. Speaker, in view of the seriousness of these charges, the people of the United States have a right to know all the facts regarding the President's Club. To date, the individuals and the administration officials involved have volunteered little or no relevant information. What we must have is a thorough investigation by a select committee that will have the power to subpena records and question witnesses. I, therefore, join the minority leader, GERALD R. FORD, in calling for the establishment of such a committee. The longer this investigation is delayed, the greater will be the suspicion and distrust. If the special treatment involving contributors to the President's Club is merely a "coincidence," this, in fairness to all concerned, should be clearly established. On the other hand, if, as it now appears, the "coincidences" establish a pattern of favoritism and special treatment, this must be exposed so that steps may be taken to bring any wrongdoers to justice and the laws relating to political contributions may be strengthened.

Mr. Speaker, I would like to enclose at this point in the RECORD copies of pertinent editorials and columns:

[From the Christian Science Monitor, Sept. 13, 1966]

THE PRESIDENT'S CLUB

Campaign financing continues to be the Achilles' heel of American democracy. Election campaigns in the United States are unbelievably expensive. Parties and candidates are forced to think up clever means to raise the vast sums needed to pay for high-cost campaign advertising. They frequently turn for contributions to sources some of which could conceivably stand to gain substantially from government favoritism.

The opportunities for corruption and the consequent suspicion of corruption can be removed. Political scientists believe that, whatever the difficulties, wise and adequate laws relating to campaign financing can be drafted and enforced.

No one would argue that present laws are in the least adequate. President Johnson submitted a bill to Congress proposing a new law. It would help by requiring more disclosure, encouraging gifts by smaller contributors, and closing some of the present loopholes. Still, it is a bare beginning.

At the same time that this bill would help to reduce dependence on the large contributor, Mr. Johnson is using the President's Club as a device to attract to party coffers gifts of $1,000 or more.

Relying on status appeal, the President's Club has proved to be an unusually successful fund-raising method. And, like the $1,000-a-plate testimonial dinner and the sale of advertisements in slick political brochures at $15,000 a page, it raises suspicions of improprieties. Such practices should have no place in politics.

It is not necessary to adopt Theodore Roosevelt's suggestion that the government pay campaign expenses by appropriating funds directly to the parties. Helpful measures could include: voluntary agreements to limit advertising expenditures, tax incentive programs for the small contributor, laws providing for shorter campaigns, the application of campaign contribution laws to primaries and conventions, the establishment of proper accounting methods, and the disclosing and publicizing of actual contributions and expenditures.

The President's Club raises suspicions of influence peddling and corruption, involving the highest office of the land. However reluctant he may be to give up a lucrative source of party income, President Johnson owes it to the people to preside at the dissolution of this club and to do it now.

[From the St. Louis Globe-Democrat, Sept. 7, 1966]

SMOKE-FILLED PRESIDENT'S CLUB

The sensitive nostrils of Republican Congressmen are getting whiffs of smoke which are leading them to an investigation of the political fire ignited by continued reports of contributions to the President's Club.

Membership in the club, presumably a fund-raising organization is open to those who have contributed at least $1,000 to the Democratic party.

President Johnson was suspect when he recently intervened with Congress seeking restoration of several million dollars which had been cut from Project Mohole, a dubious geological venture into the earth's crust.

The prime contractor and his family had contributed $25,000 to the President's Club.

Matthew McCloskey, long-time Democratic fund-raiser active in the club, was permitted to change his construction firm's bid on a Philadelphia mint building five days after the bidding deadline. His low bid knocked out three competitors.

An engineering firm with no experience in the field was awarded a Job Corps contract over four established firms after its senior vice president had given $2,000 to the club.

Just last week some House Republicans disclosed that three engineering firms in California and Texas were recipients of more than $1,400,000 in contract work for the armed forces.

Is it just coincidence that the firms' officers and their families have contributed at least $30,500 to the club since 1964?

Since one of the officials is a California leaders in the John Birch Society, it is stretching credulity that he donated to the club in the interest of promoting Mr. Johnson's Great Society.

The "preposterous coincidences" as Rep. RUMSFELD of Illinois describes them have prompted House GOP leader GERALD FORD of Michigan to call for a bi-partisan committee investigation.

As suspicion mounts that the President's Club is a clearinghouse for influence-peddling, the public has the right to know how much these Democratic party supporters have contributed, who they are, and to hear their statements, under oath. The smoke from the fire is getting pretty thick.

[From the Chicago Tribune, Sept. 2, 1966]

LET'S KILL OFF THE "PRESIDENT'S CLUB"

The so-called "President's club," consisting of men who have given large sums of money to the Democratic party, has disgraced the Johnson administration just as similar bag operations disgraced previous administrations. It should be disbanded at once.

As with the "Thousand-Dollar club" of President Truman, to which cronies, five per centers, and fixers kicked in, the Johnson "President's club" is merely an instrument for selling special favors and contracts. Those who "join" it are led to believe that their financial contribution entitles them to a pipe line to the White House.

The nation is indebted to Reps. CHARLES E. GOODELL of New York and DONALD RUMSFELD of Illinois, both Republicans, for examples of how the club has worked.

They have told us how a senior vice president of Consolidated American Services, Inc., gave $3,000 to the club and to the Democratic party and won a million dollar contract in the anti-poverty war; how the family of George R. Brown of Brown & Root, a long time financial backer of the President, gave $25,000 to the club and how, shortly thereafter, Mr. Johnson asked Congress to give the multimillion dollar Mohole project contract to Brown & Root; how officers of the Anheuser-Busch brewery gave $10,000 and a few days later learned that an anti-trust suit against their company had been dropped; and how Charles Luckman, who reportedly gave $17,500 to the club, is sharing a fat contract for the construction of a Veterans administration hospital in California—sharing it, incidentally, with a company headed by a Republican who, according to GOODELL, gave $12,000 to the club, and a third company whose head contributed $1,000.

It ought to be the privilege of any American citizen to communicate with the White House and to bid for government contracts on equal and fair terms. Presidents' clubs and the like may be nothing new, but they represent an obvious effort to buy favors [why else would anyone contribute such large amounts?] and are a discredit to our government. An end should be put to this club's operations.

[From the Michigan State Journal, Sept. 4, 1966]

INTEGRITY IN OFFICE ULTIMATE SAFEGUARD

We doubt that President Johnson will heed U.S. Rep. GERALD R. FORD'S call for suspension of the operation of the President's Club "without further delay"—or at any other time in the future.

The call was issued by the Grand Rapids congressman and House minority leader at a news conference at which he and other House GOP leaders demanded that the club, which consists of donors of $1,000 or more to the Democratic Party, be disbanded immediately, that a freeze be put on donations and that a bipartisan investigation be made of "political favoritism and skullduggery."

For some time, three House Republicans—FORD of Michigan, and Reps. CHARLES E. GOODELL of New York and DONALD RUMSFELD of Illinois—have been calling attention to a series of "coincidences" involving contributors of campaign funds, who, they charge, have received special treatment from the Johnson administration.

Last week, the Republican trio said it has been "convincingly demonstrated in the past six weeks" that contributors to the club are getting preferential treatment from the federal government.

Attention has centered on incidents in which a Justice Department anti-trust suit was dropped against a brewery firm less than a month after two top executives gave $10,000 to the club; a $1 million contract for engineering studies for the anti-poverty program was awarded to a firm shortly after a vice president of the company contributed $2,000 to the club and $1,000 to the Democratic National Committee; and $23,000 was contributed to the President's Club by the board chairman of a firm while Congress was considering an additional appropriation for the Mohole project in which the firm is the prime contractor.

In calling upon Johnson to suspend the operation of the President's Club, FORD said:

"Unfortunately, the two-to-one Democratic majorities in this Congress seem extremely reluctant even to proceed with full-scale hearings on the election reform bill President Johnson himself proposes."

The Michigan congressman said it isn't very realistic to expect that investigations of the "scandals" surrounding the President's Club will be conducted by any of Congress standing committees.

"I therefore call upon the Congress . . . to create a select committee, completely bipartisan, to explore all of the evidence and allegations of favoritism and possible corruption clouding the President's Club to date."

Following the lead of Johnson, White House Press Secretary Bill D. Moyers characterized the charges as typical campaign-year propaganda, saying: "There are always people who will look for the worst and hope for the worst in every coincidence. That's a political fact of life in this town."

It certainly should be a fact of life that government contracts are always awarded strictly on the basis of bids and never on the basis of contributions to the President's Club or any other party organization or individual.

If there is no fire in the smoke currently clouding the President's Club one might expect Johnson to welcome the kind of searching bipartisan investigation asked by FORD and other Republicans.

Even were Johnson to suspend the operation of the club, it would not rule out the possibility of favoritism rewarding those making political contributions.

This would have to depend ultimately upon the character and integrity of those who occupy the nation's highest office and others responsible for the operations of both the executive and legislative branches of government.

[From the Los Angeles Times, Sept. 8, 1966]

CAMPAIGN FUND SITUATION GETS UGLIER AND UGLIER

(By Charles Bartlett)

A Texas Democratic congressman has commented thoughtfully on the revelations regarding the President's Club. "I can't help feeling," said Rep. JAMES WRIGHT, "a sense of embarrassment for the President of the United States, any President, that such a thing as this should have become necessary."

His words echoed a thought expressed by John Kennedy as he paused one Sunday from the rigors of his campaign in October 1960. "I am amazed and outraged as a citizen," he said, "by the type of deals that fatcats try to make with a candidate for President. It is a demeaning experience to be confronted by these propositions day after day."

President Johnson has revealed his own sense of embarrassment by two recent actions. He suddenly fired Clifton Carter, an old friend who had thrown subtlety to the winds in his drive for campaign money as treasurer of the Democratic National Committee. He has put the full weight of the Justice Department behind legislation to improve the regulation of campaign financing. This is a cause for which he had shown no enthusiasm before this year.

The President's embarrassment is apt to grow more acute if the Republicans press their inquiry into Democratic fund-raising because the party's recent methods, devised under Kennedy by a Boston lawyer named Richard Maguire, were not conceived in Sunday school. The essence of Maguire's procedures has been a highly efficient shakedown of individuals and firms who profit from federal dealings.

Dues to the President's Club were basically a tax on the privilege of doing government business. Regular contributors, mostly employees of federally oriented firms, were told by Maguire in 1961 that the Democrats wanted to honor loyalty to the party by creating a club whose members would be invited to White House briefings and perhaps to an occasional state dinner.

The social awards proved to be fleeting—the members quickly became dissatisfied with infrequent opportunities to shake the President's hand or to hear Dean Rusk discourse on foreign policy. But in the days when Maguire and his White House associate, Kenneth O'Donnell, exerted heavy influence in the award of many contracts, the membership card was an important credential.

The fuss over these clubs should not obscure the fact that the seriously venal money in politics is passed around in cash without records. The Democrats' distaste for discussing techniques that go beyond the President's Club was displayed in their refusal to send a responsible witness before the House subcommittee that is holding hearings on campaign finances.

John Bailey, who has had nothing to do with money-raising as chairman of the Democratic National Committee because Maguire and Carter pre-empted the field, refused to appear and no willing spokesman could be found. The articulate general counsel of the Republican National Committee, Fred Scribner Jr. testified at length. The Democrats finally produced a public relations man, Albert Mark, who put on a poor show by disclaiming any serious knowledge of the subject.

The question now is whether the focus of indignation on the President's Club will prompt any serious legislative reforms. The administration's proposal is aimed at securing fuller disclosure of contributions and imposing more explicit and realistic limitations on expenditures.

But most serious giving in politics is done in cash these days—Congressmen and Senators want the substantial money that comes to some of them in Washington from company representatives in cash and in private. No disclosure bill will reveal this kind of money, by far the most sinster kind.

Worse scandals will undoubtedly be necessary to achieve real reforms like legal limits on television expenditures and federal subsidies. But the system as it functions is a guarantee that uglier disclosures, scandals of scope enough to mortify the nation, will eventually emerge.

[From the Chicago Daily News, Sept. 8, 1966]

PRESIDENT'S CLUB PROBE GIVES GOP MORE AMMO

(By Charles Nicodemus)

WASHINGTON.—The GOP has unveiled another fresh spoor it has tracked in the Republicans' continuing safari aimed at killing the Democratic Party's fatted cat—the $1,000-a-member President's Club.

Unfortunately for the GOP, the entire story behind this revelation could not be told.

For a prominent businessman got cold feet after he initially agreed by phone to "fess up" on how he was solicited to contribute thousands of dollars to the club on the promise that he would receive preferential government treatment.

He contributed the cash and got the federal contract he wanted.

Republicans scurried cross-country to get their prize story on tape and in writing—only to find when they arrived that their pigeon had consulted his attorney after he hung up the phone, and had been advised not to talk.

The Republican were outraged and anguished.

Said one, later holding up a thumb and a forefinger about a half-inch apart:

"We came that close to getting this guy to talk. And it would have blown the President's Club wide open."

The exercise was not a total loss, however. Their quarry had done enough talking over the phone to enable the Republicans to build against him a circumstantial case that is being profitably publicized.

This incident is not recited to suggest that all—or even many—contributors to the controversial President's Club ante up their money with the understanding that a lucrative quid pro quo is involved.

But it appears that at least one member did. And—from the other cases of nice things happening to club members that the Republicans have documented—there is a strong suspicion that the total may be more than one.

Just how many more, if any, there are may be more clearly established in upcoming weeks, now that House GOP Leader GERALD FORD has published, in the CONGRESSIONAL RECORD, a sizable portion of the secret President's Club membership list—gleaned laboriously from the filings which the law requires the club to make with the clerks of the House and Senate.

Such publicity generally provokes a rash of fruitful tips for investigation.

What is equally important, however, is that there are serious moral questions about the club's purpose and operation, even if there is no connection between contributions and federal largess.

In the words of presidential intimate Clifton Carter, a recent guiding light of the club, members are assured that—because of their generous contribution—they will have the personal ear of the President or some other top official of the executive branch any time they have a problem.

To contend that the ears of important people are for sale for $1,000—or, conversely, that the big man with the big money is entitled to his government's ear while the little man with little money is not—would seem to be a position that the American system of government could not long tolerate and survive.

CORN REFINERS ASSOCIATION

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FINDLEY. Mr. Speaker, the trade association representing the largest user of the American corn crop outside of livestock feed utilization, the wet corn milling industry has recently changed its name from "Corn Industries Research Foundation" to "Corn Refiners Association." In conjunction with this name change the members of the association have adopted a statement of policy which I believe to be unique and which deserves, in my estimation, our congratulations.

In the statement, the members of the industry recognize their responsibility to the farmer and state their intent to undertake an educational program designed to acquaint the public with the contributions made by our Nation's agriculture and to support programs designed to increase the prosperity and stability of the American farmer.

Today the farmer is, all too often, made the scapegoat for inflationary pressures in our economy, to which he has not contributed and over which he has no control. And in this process the American people have forgotten that they owe to the farmer the most abundant food supply at the lowest cost available anywhere in the world. The enormous productive capability of our agricultural economy is the very keystone of our prosperity.

Today, too, we are concerned with the prospect of massive worldwide starvation in the years ahead. If we are to succeed in mobilizing our resources to meet this crisis, the public must be made aware that our most effective weapon is American agricultural abundance and the technology developed and practiced by the American farmer.

It is particularly appropriate, I think, that the first agribusiness group to publicly recognize its responsibility to the farmer and to commit itself to a specific program to develop a greater public understanding of agriculture's role is the Corn Refiners Association.

It is appropriate because the corn refining industry operates at the frontier of utilization of corn, our native and most important grain crop. In utilizing 20 percent of the crop not dedicated to livestock feed, this industry has developed products inconceivable just a few decades ago. Today industry, defense, and medical science among others use products derived from corn in myriad unrecognizable applications.

It is appropriate, too, because the president of the Corn Refiners Association, Robert C. Liebnow has long been recognized as one of the farmer's outstanding business spokesmen. With the adoption of this statement of policy, Mr. Liebenow adds to his record as a progressive agribusiness leader aware of and sensitive to the debt we all owe the American farmer.

I sincerely hope that the action taken by the Corn Refiners Association will encourage other industry groups dependent on agricultural production to cooperate with the farmer and work with him in solving mutual problems. It is only through such cooperation that American agriculture will be able, effectively, to maintain its record in meeting domestic needs and go forward to combat hunger in the world.

WHO IS BEHIND THE RACE RIOTS?

Mr. McCLORY. 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 Illinois?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, Mr. Philip A. McCombs has written an article published in the September 20 edition of National Review which focuses attention on documented facts, statements and charges which surround race riots which have occurred in this Nation.

As many of the Members of Congress may know, Mr. McCombs has been an interesting witness before the House Committee on Un-American Activities and in this article again presents some interesting facts on elements in our country which are actively inciting violent civil disobedience. As he shows, there are differing opinions, but facts and statements which he points out are difficult to refute—to say the least.

I think they are worthy of consideration and order that the article be reprinted here in the RECORD:

WHO IS BEHIND THE RACE RIOTS?

(By Philip A. McCombs)

Are the race riots planned in advance? Evidence now made public suggests that, to an unknown but wide extent, they are: A grand jury in Cleveland investigating the recent violence there has concluded that it was "organized and exploited [by] trained and disciplined professionals . . . [aided by] misguided people, many of whom are avowed believers in violence and extremism, and some of whom are either members of or officers in the Communist Party."

The grand jury's findings are apparently consistent with the individual observations of members of the House of Representatives, which last month passed an amendment to the Civil Rights Bill of 1966 making it a federal crime for a person using facilities of interstate commerce to incite a riot. WILLIAM CRAMER (R., Fla.), who proposed the amendment, said that it was "the result of evidence which supports the contention that this violence is the work, in part, of well trained, outside agitators who come into these communities for the express purpose of inciting violent civil disobedience." The Civil Rights Bill passed the House 259–137; CRAMER'S amendment passed along with it, 389–25.

NOT SO, SAYS THE TIMES

On the other hand, there are many who firmly believe that the race riots are *not* planned in advance, for example the *New York Times* (July 31, 1966): "If there is any real evidence of a conspiracy behind the riots . . . it remains hidden. . . . Six *New York Times* reporters who have witnessed one or more riots around the country were of the unanimous opinion that . . . all the racial explosions observed during the last two years seem to have been spontaneous." Attorney General Nicholas Katzenbach seems to agree with this analysis (August 17, 1966, testimony before a Senate subcommittee investi-

gating urban violence): "There is no indication that these riots were planned, controlled, or run by extreme left-wing elements."

Someone is clearly mistaken, but who? Consider some of the evidence:

The grand jury in Cleveland turned up: 1) A young newscaster who had joined the local W.E.B. DuBois Club in order to get a feature story and who testified that "as early as November of last year the Marxist-oriented group had planned racial strife in the Hough area [of Cleveland] to further the aims of socialism." 2) A Negro youth who testified that a 200-member gang, the Black Panthers (launched by the Student Nonviolent Coordinating Committee), laid plans for fire-bombing, sniping and looting; that he saw bombs being made and attended meetings where violence was planned; and that a similar gang operated in Chicago during the riots there. 3) Lewis G. Robinson, director of the JFK House (Jomo Freedom Kenyatta) in Cleveland's Negro district, who was accused by the grand jury of having "indoctrinated" young people "with his own vigorous philosophy of violence"—i.e. running a "school for fire bombers," as Police Chief Richard R. Wagner called it; and who had "pledged reciprocal support to and with the Communist Party of Ohio," 4) Another JFK House leader who was called "an outright exponent of violence . . . and in command of at least one rifle club."

Apart from the findings of the grand jury, the press has here and there noted that: The Nation of Islam (NOI) has paramilitary groups, called Fruit of Islam (FOI), in almost every mosque. . . . The rifle clubs organized by the late Malcolm X have prospered. . . . The armed Deacons for Defense and Justice have spread to many large cities. . . . Super gangs have almost emerged in the cities, the largest of them in Chicago with 1,500 Negro boys armed with bicycle chains, rifles and shotguns as members, and an auxiliary organization of 600 girls.

Another such gang is in Harlem with 1,200 members. . . . In Los Angeles, there are 125 street gangs listed as "potentially danegrous" by the police, who report that the gangs have served as spearheads for rioting mobs and are usually the first to smash store windows and throw Molotov cocktails. . . . 13,500 pistols and revolvers were sold in Los Angeles in 1965, but police say that the figure for this year will reach 30,000. . . . Still unrecovered are 19,000 weapons looted by Negroes during the Watts riots, and police have made several raids on caches of high explosives, submachine guns, antitank guns and mortars. . . . In many cities Black Nationalist groups have been observed undergoing armed drill and field exercises. . . . Agitators who fired mobs in Watts were seen doing the same thing in Chicago. . . . Messages to rioters were actually transmitted in code over a Chicago radio station. . . . RAM (Revolutionary Action Movement), with 1,200 members, has been teaching tactics of terror and sabotage in several Northern cities. . . . The Progressive Labor Party (PLP), which split from the American Communist Party in 1961 in order to go pro-Mao, played a "provocative role" in the 1964 Harlem riots, according to the *Worker;* members made fire bombs and maintained concealed arms for use by a special group in terrorist activity.

TRAINING IN TERRORISM

These facts tend to shed doubt on the assertions of the *Times* and Mr. Katzenbach and to corroborate those of 1) Los Angeles Mayor Sam Yorty, who has claimed that Communists were instrumental in the Watts riots and that "we face urban guerrilla warfare, an absolute plan to burn and sack the city." 2) Cleveland Mayor Ralph Locher, who made a similar claim. 3) Cleveland Safety Director John N. McCormick, who said that "trouble was planned for Cleveland; the pattern here and in other cities is almost identical." 4) Senator FRANK J. LAUSCHE (D., Ohio), who charged that a "national conspiracy executed by experts" was responsible for the riots, that the riot pattern "indicated design and organization [with] centrally managed tactics." 5) The Cleveland grand jury, whose final conclusions were very specific: "It is no casual happenstance or coincidence that those throwing firebombs, or bricks, or bottles, or pillaging or generally engaged in disorder and lawlessless were in the main young people obviously assigned, trained and disciplined in the roles they were to play . . . nor . . . that the overall pattern for firebombing and destruction . . . was so highly selective; that the targets were plainly agreed upon; that certain places were identified to be hit; and that certain other places were similarly spared."

But one needn't rely entirely upon press reports or the findings of public officials. Statements by the extremist groups and individuals are themselves revealing:

Michael Laski, a self-declared member of the Communist Party, said during a press conference a few months ago that "we are leading a proletarian insurrection. . . . We will use violence. . . . The Party is presently engaged in the formation of Peoples Armed Defense groups in the Watts District of Los Angeles. . . . We have been operating and agitating openly in Watts for the past three years."

Robert Williams, a founder of RAM, wrote in 1964 that "the new concept [of revolution] creates conditions that involve the total community, whether they want to be involved or not. . . . During the hours of the day sporadic rioting takes place and massive sniping. Night brings all-out warfare, organized fighting, and unlimited terror against the oppressor and his forces."

RAM's publication *Black America* has said one of the organization's goals is "to present a revolutionary program of national liberation and self-determination for the African captives enslaved in the racist United States of America," and a RAM pamphlet recently distributed in Northern cities recommends as a suitable "poor man's arsenal" the following: "Gasoline fire bombs (Molotov cocktails), lye or acid bombs (made by injecting lye or acid in the metal end of light bulbs). . . ."

The Black Nationalist magazine *Liberator* has said: "We must take our cue from revolutionary spokesmen like Nkrumah, the late Franz Fanon, our martyred brother Malcolm X, and China's Mao Tse-tung. . . . The Afro-American community and our fellow sufferers abroad must, at some juncture, resort to the creation of violence and dispensation of pain."

William Epton, an organizer for the Progressive Labor Party (PLP) in New York, became famous for having shouted in a rally, just an hour before the massive Harlem riots in 1964 broke out, that "[we must] smash this state completely and totally. . . . We're going to have to kill a lot of these cops, a lot of these judges. . . . We'll organize our own militia and our own army."

A recent issue of the PLP magazine *Spark* carried an article entitled, "The Revolt in Watts and the Coming Battle." Centered on one page is a map of Los Angeles showing factory concentrations. Text: "These factories are completely vulnerable and can be shut down with a minimum of preparation, personnel and effort. Once the weakest flank of the enemy is discovered, a million ways will be found to focus the full strength of resistance so that every blow drives straight to his heart."

All this evidence, and more, has been discounted by the *Times,* by Mr. Katzenbach and by others on the grounds that while extremists have "attempted" to incite and direct racial violence, they have been entirely unsuccessful. This encourages the conclusion that the violence results *wholly* from deep social and economic discontents of Negroes, which conclusion in turn encourages public support for social programs, goals, and aspirations of the *Times,* of Mr. Katzenbach, and of others.

Clearly it must be granted that the riots would not have taken place except for the discontent of many Negroes, but it is nevertheless also increasingly clear that "trained and disciplined" revolutionaries—Communists, Black Nationalists and others whose concern with the plight of the Negroes is minor and whose attitude toward them is little more than exploitive—have carefully and systematically heated this discontent to the boiling point and directed the resultant "spontaneous" storm.

REGULATION OF POLLUTANTS FROM DIESEL ENGINES OF BUSES AND TRUCKS

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] 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 Illinois?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, as one who has been concerned with pollution problems, air, water, and noise, and expressed concern in this body from time to time with suggestions for ameliorating these assaults on our environment, I recently wrote to the Secretary of Health, Education, and Welfare to ask that standards be set under the authority of the Motor Vehicle Pollution Control Act of 1965 to regulate the emission of pollutants from diesel engines of buses and trucks comparable to those standards which presently exist for the manufacture of new cars.

I am pleased to note that the officials at the Department of Health, Education, and Welfare share my concern and are working on the problem. While not as speedily as one may have hoped, they inform me that they are proceeding diligently.

There follows a copy of my letter of August 31 and the reply from Under Secretary Wilbur J. Cohen of September 20, 1966:

AUGUST 31, 1966.

Hon. JOHN W. GARDNER,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: More than ten months ago, on October 20, President Johnson signed into law the Motor Vehicle Air Pollution Control Act to curb the growing pollution of our air by cars, buses, and trucks. As you know, that Act gave you the authority to prescribe standards for the emission of pollutants from new motor vehicles, both domestic and imported.

On December 31 you issued formal notice of the standards to be adopted for application to the manufacture and importation of new gasoline-powered cars and light trucks, beginning with the 1968 model year. Thus far, however, you have failed to set similar standards for emissions from diesel-powered engines.

With the increasing number of passengers traveling by bus and with the growing demand for materials transported by truck, diesel-powered vehicles, which are among the worst polluters of our urban atmospheres, continue to expel more and more noxious fumes and smoke into the air. The failure to include this irritating source of pollution under the control of standards comparable to those you have already established for gasoline-powered vehicles can no longer be sustained.

Each year, Mr. Secretary, the number of buses and trucks crossing New York City's streets, and especially those in my 17th Congressional District in Manhattan, is increasing. Why has the problem of controlling the emissions from these vehicles, currently the source of such widespread discomfort to millions of New Yorkers and other urban dwellers, not yet been adequately researched and resolved under the mandate of the Motor Vehicle Air Pollution Control Act?

This problem must be met and controlled now, Mr. Secretary, for the future promises even further growth in the magnitude of diesel-engine emissions that will make more difficult and expensive the ultimate elimination of this spoiler of our environment.

I strongly urge you, Mr. Secretary, to act now to implement the directive of the Motor Vehicle Air Pollution Control Act to control the emission of pollutants from *all* self-propelled vehicles by establishing standards applicable to diesel-powered vehicles.

Sincerely,

THEODORE R. KUPFERMAN,
Member of Congress,
17th Congressional District, New York.

THE UNDER SECRETARY OF HEALTH, EDUCATION AND WELFARE,
Washington, D.C., September 20, 1966.

HON. THEODORE KUPFERMAN,
House of Representatives,
Washington, D.C.

DEAR MR. KUPFERMAN: We concur completely in the opinions expressed in your August 31 letter to Secretary Gardner regarding the offensiveness of emissions from diesel-powered motor vehicles. A 1957 survey conducted by the Air Pollution Control Association found that smoke and odor from diesels are the preponderant causes of citizens' air pollution complaints—even though diesel vehicles represent only 0.4 per cent of the total vehicles registered in the United States for street and highway operation.

While the initial Federal emission standards are applicable only to gasoline-powered passenger cars and light trucks, the Department of Health, Education, and Welfare is fully aware of the broad directive in the amended Clean Air Act for comprehensive control over motor vehicle emissions. We are proceeding on a planned and accelerated program to control diesel emissions. I would like to apprise you of our activities in that regard.

Nearly four years prior to the enactment of Public Law 89-272, the Public Health Service Division of Air Pollution was conducting, stimulating and supporting appropriate studies on the diesel smoke and odor problem; these efforts have intensified since the President signed Federal motor vehicle pollution control legislation on October 20, 1965. Research is proceeding along the following lines:

1. Determination of the quality and quantity of diesel exhaust under road conditions.
2. Determination of the odoriferous materials in diesel exhaust, so that odor-emission standards may be defined and evaluated objectively.
3. Development of appropriate sampling and analytical techniques.
4. Development of laboratory test cycles to simulate routine vehicle operation and exhaust emissions.
5. Determination statistically of the response of humans to diesel exhaust odors.
6. Evaluation of the effectiveness of electrostatic precipitators, catalytic mufflers, fuels, fuel additives, maintenance, pre-conditioned air charge to cylinders, engine fuel system adjustments and other means for suppressing smoke and reducing or altering odors.

All of these efforts are aimed at the adoption of diesel emission standards to become effective with the 1970 model year. In order to provide sufficient lead-time for the manufacturers, all the above work must be completed and standards adopted no later than December 31, 1967. We have accelerated our studies accordingly.

This Department agrees that it is not in the public interest to permit the diesel nuisance to persist while millions of dollars are being expended to control emissions from gasoline-powered vehicles.

Some urban bus operators use masking agents to render less offensive the odors in diesel exhaust. We object, in principle, to such a procedure because it does not remove the basic cause and, rather than reduce emissions to already overburdened urban atmospheres, new compounds actually are added. We are taking the more basic approach of determining the source of the odor and controlling its emission within acceptable limits.

Most diesel engines, as designed and produced, using a good grade of fuel and properly maintained and operated, are capable of operating with smoke and odor levels that are not offensive to the general public. Federal authority is presently limited to new motor vehicles or engines. A major problem is created after sale, however, because of poor operation and maintenance, low-quality fuel and maladjustments. Neither the engine builder nor the Federal Government presently has control over this aspect, and it appears to be clear that State and local surveillance and enforcement, perhaps coupled with Federal standards for smoke and odor emissions from on-the-road vehicles, will be necessary. This Department has now engaged in developing a system which the States can use to accomplish this surveillance.

Your intense interest and concern regarding air pollution from diesel-powered vehicles are appreciated. I assure you that this Department shares your concern and intends to take necessary action at the earliest practicable time.

Sincerely yours,

WILBUR J. COHEN,
Under Secretary.

INCOME TAX DEDUCTION FOR TEACHERS

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HARSHA] 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 Illinois?

There was no objection.

Mr. HARSHA. Mr. Speaker, I am introducing a bill to amend the Internal Revenue Code to make it clear that teachers may deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education. I have consistently urged that section 162 of the Internal Revenue Code of 1954—relating to trade or business expenses—should be properly construed to allow a deduction for expenses for education necessary for maintaining and improving employment. Unfortunately, rather than give a broad interpretation to this section through the regulations, the IRS has chosen instead to increasingly narrow its application.

Mr. Speaker, some months ago the Internal Revenue Service of the U.S. Treasury Department published in the Federal Register proposed new regulations that would, in effect, curtail a deduction currently available to this country's most valuable but yet ironically our most unsung and ill-rewarded resource—our teachers. I refer, of course, the proposed Treasury regulation, scheduled to go into effect next January, which would no longer permit our teachers and educators from deducting from their Federal income tax those necessary expenditures incurred in course work or certain educational travel to improve their competency in their profession. In my State of Ohio there is now a critical and most serious shortage of teachers, due primarily to low pay and the lack of other proper incentives to help these worthy and vital people remain in their chosen vocation. This situation in my State has almost approached scandal proportions. I would be gravely remiss in my duties to all the citizens of my nine-county congressional district, if I did not stand up and fight any Federal move that could further exacerbate a most serious situation in my home State.

The bill I introduced today unfortunately will not solve the State of Ohio's major teacher shortage problem. My bill, however, will assure the fact that the Federal Government does nothing to further a most difficult situation that we in Ohio find ourselves in. The bill by force of law will permit teachers to continue to deduct from their income taxes those expenses incurred in course work or certain educational travel vital to their improved professional competency. Enactment of this bill will have the effect of reinstating an Internal Revenue Service policy that from 1958 to the present time has permitted our poorly compensated teachers to make such deductions from their all-too-meager incomes. To me the curtailment of this deduction by our Treasury Department is totally unthinkable.

Our unsung and devoted teachers in every community in the country who use their hard-earned money to increase their knowledge and professional skill must be encouraged by all the means at our command rather than retarded in their professional growth. It is imperative that these most important citizens within our communities, who impart daily their talent and wisdom to our young, be given every opportunity to grow and flourish in their educational attainment. It would be the height of folly to do otherwise. Every incentive must be found to keep these valuable people in their chosen field.

Business deductions are permitted generously for most expenses and I know of no more important business than that of training and developing the thinking of America's youth. Good teachers are one of this Nation's most important needs in order to attain educational excellence.

The Congress must do what it can to encourage those in the teaching profession, and I am hopeful that prompt action will be forthcoming on this legislation.

FEDERAL ANTIRIOT LEGISLATION

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. DON H. CLAUSEN] 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 Illinois?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, I am today joining my colleagues, led by the gentleman from Florida [Mr. CRAMER], in introducing legislation to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate and foreign commerce where the intent to incite a riot or other violent civil disturbance is in evidence.

The very obvious and principal reason for bringing about this recommendation for legislative action is because the Civil Rights Act of 1966 is apparently dead for the year as indicated by the leadership in the Senate. The contents of this bill were actually included in the civil rights bill and adopted as an amendment, overwhelmingly, when introduced by Mr. CRAMER in the House. I supported this amendment at the time and feel equally strong about the need for this type of legislation now.

It seems tragic that in this great land of the free, we have increasing anarchy and a complete lack of respect for established law and order. Whenever problems threatening our security and domestic tranquility arise or are on the increase, we in the lawmaking bodies of this country have the responsibility of offering legislation designed to enact a law that will afford the required amount of protection for our citizens.

The newspapers, radio, and TV news reporting media are filled with riot activities and insurrections that are occurring with increasing frequency. Quite frankly, it is reaching frightening proportions.

While I shall always uphold the right for an individual or group to dissent and to demonstrate peacefully as an expression of their grievances, I would also suggest that along with these inalienable rights, the people have an obligation to act in a responsible manner.

Freedom is not free and everyone must accept the personal commitment to act responsibly if we expect to enjoy the advantages of maximum or total freedom. Regrettably, we have undesireables in our society for which laws must be passed to protect the innocents.

This is the case as I see it now. No one, genuinely familiar with the function and activities of subversive elements, will fail to understand that we live under the constant potential threat of conspiracy. If you doubt this, I would suggest your checking with some of our Nation's domestic security forces. I have and they have convinced me of the need for this type of legislation.

They have advised me of the obviously planned program to incite riots or generally take advantage of controversial situations to perpetrate disorder and chaos. This can be very dangerous and requires our constant vigilance.

Further, I believe it is absolutely essential that we provide our law enforcement officials with the required laws to enforce and enhance our overall security. It is to this end that this bill is directed. I am hopeful we can pass the bill and write it into law before the Congress adjourns. The mere passage of the bill could be a very effective deterrent to increasing disturbances. America must wake up to the planned threats to our domestic security.

THE QUEST FOR PEACE

The SPEAKER pro tempore (Mr. MCFALL). Under a previous order of the House, the gentleman from New York [Mr. HALPERN], is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, I once again want to express my profound concern over the course of the war in Vietnam and the effort to secure an honorable negotiated settlement.

Last week on the floor of this House I spoke of the proposal for an Asian conference which could be a very useful forum to discuss the conflict in terms of achieving an end to the hostilities.

In the wake of Pope Paul's call for peace earlier this week, the United States should persist anew in its efforts to achieve a peaceful solution. In yesterday's press conference, the President was asked his reaction to the Pope's proclamation. He said:

> I am very happy to see the Pope take the interest he has. I want to do everything I can to encourage that interest and to support him in any moves that he makes . . . We are anxious to participate in any negotiations that the aggressors are willing to participate in.

It is my feeling that we should translate rhetoric into a specific practical proposal which will leave no doubt as to our readiness to meet at the conference table, with no preconditions.

The President has repeatedly made clear the Nation's basic commitment to peace. But unfortunately, these well-intentioned expressions have not been convincing to the other combatants and much of the nonalined world.

That is why I feel that instead of constantly repeating our general willingness to negotiate at any time and anywhere, we should set forth a format in specific terms.

Thus far, peace overtures have reached an airy stalemate. The other side persists in rejecting and ridiculing all U.S. pronouncements which express the desire for unconditional discussions.

The world must be convinced that our quest for peace is genuine. This requires that we formulate and present to the other side a specific agenda for the termination of hostilities. If rebuked in this effort, it will be clear that the obstacle to peace is not American policy, but rather the intransigence of Hanoi and the Vietcong.

I was much impressed by the recent proposal of our distinguished colleague from New York [Mr. TENZER], who in a letter to the President recommended several concrete steps which, if undertaken, could leave little doubt of our sincerity. In effect, the United States would seize the initiative in a very dramatic way, challenging the other belligerents to lay down their arms and confer at a stated time and place. I associate myself with this recommendation and urge the President to consider fulfilling it.

Under the proposal, the President would set a specific date, time, and place for peace talks. At the same time, he would dispatch invitations to all interested parties, including the National Liberation Front, and announce a cessation of bombing to take effect 24 hours in advance of the conference.

Additionally, we would publicly agree to a reciprocal ceasefire, to begin 72 hours following the start of talks, and if effectuated, the Secretary of State shall be prepared to meet his counterparts at the negotiating table.

The agenda will include the American 14 points, the 4 points proclaimed by Hanoi, the 1954 and 1962 Geneva Accords, and any other items arrived at by mutual agreement.

It seems to me that such a concrete proposal, with a step-by-step timetable, could very conceivably lay the groundwork for a negotiated settlement of this conflict. If not, the credibility of U.S. willingness for peace cannot be doubted.

These steps offer a precise formula and I urge my colleagues in this House to join in support of such a plan and prevail upon the administration to evaluate the great impact it could have in the community of nations and pave the way toward the achievement of peace.

WONDERFUL WISCONSIN WEEK

The SPEAKER pro tempore (Mr. MCFALL). Under previous order of the House, the gentleman from Wisconsin [Mr. LAIRD] is recognized for 5 minutes.

Mr. LAIRD. Mr. Speaker, this week, from September 18 to 24 is being observed throughout my State of Wisconsin as "Wonderful Wisconsin Week." It is a weeklong promotional program emphasizing the assets and attributes of Wisconsin.

The purpose of this statewide salute to Wisconsin is to call attention to those qualities which have made it a desirable place in which to work, live, and vacation. The program, which was planned by the Wisconsin Chamber of Commerce Executives Association and has the cooperation of many statewide groups, is being conducted through local chambers of commerce and several statewide organizations.

Mr. Speaker, "Wonderful Wisconsin Week" was born from an earlier State effort that culminated in the hour-long

film, "We Like it Here" that was produced last fall for the statewide simulcast in December. "Wonderful Wisconsin Week" is a natural successor to the 38-page Fortune magazine article that was published in January 1966. Entitled "Wisconsin—We Like It Here," the $250,000 advertising supplement was hailed around the United States.

Mr. Speaker, the people of Wisconsin are very proud of our State and of its many assets. During "Wonderful Wisconsin Week," there will be activities in every area of the State and while these programs will be promoting the State's assets, it will at the same time be saluting the people engaged in industry, agriculture, education and government who are responsible for making Wisconsin such a desirable place in which to live, work and play.

Mr. Speaker, the symbol of "Wonderful Wisconsin Week" is appropriately chosen. It is the character of "Bucky Badger," that confident, cocky, chesty figure who once was confined solely to sports, but today is used to picture the State's high spirits in a number of fields.

Each day in "Wonderful Wisconsin Week" has its own particular emphasis, with special events lined up to highlight it. Each day will be celebrated in all communities.

Last Sunday was Heritage Day; Monday was Education and Youth Day; Tuesday, Government Day; Wednesday through Friday are Wisconsin-At-Work Days; the week ends with Saturday, Hospitality Day.

Yesterday, today and tomorrow, "Wisconsin at Work" days offer industry and business a rare opportunity. During this time open houses, plant visits, and special displays will be encouraged.

Mr. Speaker, "Wonderful Wisconsin Week" is designed to give a tip of the hat to companies that are expanding and a helping hand to those that are starting; at the same time it offers opportunities to plug Wisconsin products, Wisconsin workmanship, Wisconsin decisionmakers. Our great Governor, Warren Knowles, the State chamber of commerce, and all participating organizations deserve hearty congratulations for bringing a wonderful concept to fruition in "Wonderful Wisconsin Week."

"YEARS OF LIGHTNING, DAY OF DRUMS"

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Minnesota [Mr. QUIE] is recognized for 60 minutes.

Mr. QUIE. Mr. Speaker, I rise to speak again today of the showings across the Nation of the John F. Kennedy film, "Years of Lightning, Day of Drums." On September 2, 1966, I wrote to Mr. Roger L. Stevens, Chairman of the Board of Directors of the Kennedy Center, asking for information about the scheduling of the film in 91 theaters in the Nation. At the time I asked why the film was released about the 22d of September, so close to election day on November 8. I wish to place in the RECORD the letter I received from Mr. Stevens:

JOHN F. KENNEDY CENTER
FOR THE PERFORMING ARTS,
Washington, D.C., September 20, 1966.

Hon. ALBERT QUIE,
House of Representatives,
Washington, D.C.

DEAR MR. QUIE: I have your letter of September 2, 1966, and have read your comments in the CONGRESSIONAL RECORD as well as the statements made by other Congressmen and Senators. I feel that everyone is completely justified in their concern with the attempted partisan use of the picture "John F. Kennedy: Years of Lightning, Day of Drums." There has never been any intention on the part of either the Center or Embassy Pictures Corporation that this picture be used for partisan purposes.

Before answering your specific questions, I want to relate the details of the arrangements between the John F. Kennedy Center for the Performing Arts, USIA and Embassy Pictures in order to show that the mandate of Congress is being carried out in a manner consistent with the legislative intent.

The authorizing legislation, P.L. 89-274, was enacted into law on October 20, 1965. It provided for showings of the USIA film "John F. Kennedy: Years of Lightning, Day of Drums" to the American people and for the profits from commercial distribution of the picture to go to the Kennedy Center. At no time did any members of the Board of Trustees of the Center intercede to promote passage of the legislation. While the Trustees had nothing to do with passage of the legislation, they are most grateful to Congress for its providing the opportunity to distribute the film and making the Center the beneficiary.

The officers and trustees of the Kennedy Center have done everything necessary to carry out the authorizing legislation. Chronologically, we made arrangements with USIA and entered into a licensing agreement dated October 21, 1965, with them after the legislation was passed and signed by the President. In accordance with the provisions of the act, we paid to USIA $122,000. This USIA contract, as well as the contract with Embassy Pictures (Dated January 3, 1966), was negotiated by our General Counsel, Ralph E. Becker, and both contracts are available for your examination. Copies of the legislation and reports of the House and Senate Committees were sent by our General Counsel to the legal staff of Embassy Pictures. I should also point out that our General Counsel used as Special Consultant, without fee, the professional services of Honorable THEODORE R. KUPFERMAN, who, before serving as one of your Republican colleagues to succeed John Lindsay, Mayor of New York, specialized in motion picture law.

Before the contract was executed with Embassy, I appointed a Special Committee to investigate and determine the best means of placing the film in theaters throughout the country. Mr. Richard Adler, one of our Trustees, was Chairman of the Committee and he used the nationally known agency, Ashley Famous of New York City, which rendered services without fee or expense as a public service. Negotiations were carried on with several motion picture distributing companies to obtain a national outlet with the necessary facilities to make the prints of the film, produce the materials necessary for advertising and bookings, and contact local exhibitors in the customary manner. The Committee recommended to our Executive Committee and the Board of Trustees, that the Embassy offer was the most advantageous to the Center and Embassy was therefore given the exclusive contract for commercial distribution of the film.

QUESTIONS 4 (A), (B) AND (C)

The most important provision of the unique agreement negotiated with Embassy was that Embassy agreed to distribute the picture in the United States for a five year term without profit, waiving its customary distribution fee, advancing to the Center $150,000. Covering the payment by the Center to USIA, and returning to the Center all gross receipts from distribution less direct expenses incurred.

At no time has any motion picture organization to my knowledge made an agreement of this nature, particularly for a documentary film. Embassy Pictures shouldered for the Center an investment of approximately a half million dollars and committed, as an act of public service, itself with the Center as the primary beneficiary. I speak from personal knowledge as well as from the knowledge of members of our Board who are identified with competitors of Embassy in the motion picture industry.

Therefore, a concise response to your fourth question (a), (b) and (c) is that Embassy is to be reimbursed for direct expenses such as the cost of prints and advertisnig incurred in the distribution of the film from gross receipts. Furthermore, Embassy Pictures is to recoup its advancement of $150,000, from gross receipts from the distribution of the film. All gross receipts from distribution in excess of these two amounts will accrue directly to the benefit of the John F. Kennedy Center, strictly in conformity with the provisions of the contract. Mr. Joseph Levine, as President of Embassy Pictures, has no interest in the gross receipts from distribution than does his company.

QUESTION 5

The Trustees of the Center were very much impressed with the background and success of Embassy Pictures and particularly in the advertising techniques and distribution know-how of the firm. There are different approaches in the industry. A picture's premiere may be executed by having a single premiere in one city for a long period of time, or there may be a saturation operation whereby the picture is shown in its premiere en masse across the country. To determine best how to distribute this unique film, Embassy recommended that the Kennedy film be premiered on Easter Sunday at the Lincoln Art Treater in New York City. A "public premiere" was arranged instead of the normal flamboyant premiere, and anyone who wanted to attend the opening could do so at the regular price; no distinction was made between VIPS and the man-on-the street. The film received unanimously high praise from the critics, as evidenced by the enclosed copies of clippings (Exhibit A). After the picture ran for some time at the Lincoln Art Theater, another New York City theater (Cinema 1) exhibited the film.

It was Embassy's decision to gain further experience that the next step would be to open in Chicago and Boston. These openings were carried out on May 4 and May 18 respectively.

I might add, at this point, that Embassy Pictures continuously advised the Center of its advertising program, which was subject to the written approval of the Center. All proposals for advertising, trailers, TV spots, and the like have been submitted to me or my designee for approval during the past months and will be in the future. The contract also provided for the following credit at the end of the picture: "Presented by the John F. Kennedy Center for the Performing Arts through the distribution facilities of Joseph E. Levine," in size of type and prominence in keeping with the dignity

of the picture. Advertising credits and titles have been agreed upon by USIA participants, producer, director and others.

It was also provided that the picture will not be distributed with any short subject or any other motion picture without the Center's consent; Embassy agreed to advise each exhibitor of the nature of the agreement and have the exhibitor seek the written consent of the Center before showing the Kennedy film with another motion picture.

The limited exhibition convinced Embassy that an important segment of the potential audience would be students, even more than the usual picture. Consequently, after the openings in New York, Boston, and Chicago, it was planned that further distribution during the summer months would not be advisable for commercial reasons until September. Embassy then contracted with the appropriate theaters geographically for the fall opening.

Election time did not in any way enter into the scheduling of distribution.

In any event, I have been recently told by Embassy Pictures that they have been able to arrange for showings at approximately ninety-one of the thousands of theaters in this country at this time. From September 21 until election time showings at these theaters will be held on different dates.

QUESTION 4 (D) AND (E)

In response to (d) of your fourth question, normally the local exhibitor retains approximately 50 per cent of the gross revenues received during the run of a picture at his theater. Since the authorizing legislation provides that the Kennedy film be distributed through the commercial media, the local exhibitors will retain that portion of the proceeds of the showings which normally and rightfully accrues to them. Embassy Pictures is in a better position to answer this question in detail than I am and we have requested that Mr. Levine furnish you with this information.

In response to (e) of your fourth question, with the exception of the Kennedy Center, and as I have heretofore mentioned, Embassy Pictures and the exhibitors, I know of no other persons or individuals who might receive a share of the gross receipts or gross revenues. Director Bruce Herschensohn, Producer George Stevens, Jr., Narrator Gregory Peck and Writer Gene Evans have all waived their rights to royalties from the picture.

It is, of course, possible that individuals and/or organizations might purchase tickets for either an entire performance or for a block of seats and then resell these seats at a higher price. However, the Center and Embassy Pictures have sought in the past and will continue in the future to avoid sales of tickets in blocks for political fundraising and other partisan purposes.

Immediately upon receipt of information about the partisan scheduling of the film in Iowa and Wisconsin, I spoke with Mr. Levine, who shared my reaction that we do not want this picture to be exploited directly or indirectly for any political purposes through local exhibitors. Mr. Levine phoned the exhibitors and arrangements were made whereby partisan sponsorship was withdrawn and plans were cancelled. Furthermore, Embassy Pictures sent a telegram (Exhibit B) to all sales managers in the field requesting that exhibitors be told of Embassy's position and that no bookings were to be made by any political groups during the engagement of "Years of Lightning" and any arrangements with such groups were to be immediately cancelled. I am enclosing a copy of the letter sent by Embassy to all theaters now booked for the film, including the Manager of the Strand Theater in York, Pennsylvania (Exhibit C).

Naturally, I regret that there have been a few isolated instances where an exhibitor seemed to be under the impression that he should not deny any group the right to purchase tickets in a block or buy out a theater. As these instances arise, the Center and Embassy have prevented the contemplated partisan use of the Kennedy film. We are now jointly working to prevent such use of the film by a political group at the State Theater in Cuyahoga Falls, Ohio; this situation has just been brought to our attention.

Thus, I am sure that you will agree that I hold the same views toward partisan use of the Kennedy film as Senators MUNDT, MCGOVERN, and MILLER and Congressmen ADAIR, DAVIS, KUPFERMAN, yourself and others who have properly raised the question on the floor of Congress.

OTHER QUESTIONS

Concerning questions one, two and three of your letter, there is certain information which is peculiarly within the knowledge of Embassy Pictures which should be provided to you, and I have asked Mr. Joseph Levine, its President, to give this information to you, including a list of the cities and towns in which the film is presently booked (question one), the number of days or weeks the picture is scheduled to be shown (question two), and a projection of the gross revenues and receipts (question three). However, in light of the background which I have outlined above, I am sure that you can appreciate that it is difficult precisely to estimate future demand for the film. It is now anticipated that the film will be made available to theaters throughout the country for the balance of the year, hopefully during the next four years, until all of the interested theaters have had an opportunity to show it and commercial potential of the film is expended, Embassy will handle commercial distribution.

It is unfortunate that these few isolated instances have arisen at this time, for the John F. Kennedy Center is at the same moment making tremendous strides toward becoming a reality. The general construction contract has been let and the contractor is doing a $41 million project for a fee of only $249,000, which amount includes general overhead and profit. In addition to being the lowest bidder, the contractor is rendering a public service by maintaining his fee at such a low figure—in the same generous spirit as that of Ashley Famous, Embassy Pictures, and the many other business concerns and individuals who have contributed to the Center. The invitations to bid by the sub-contractors have been issued by the contractor, under the direction of the General Services Administration, which serves as our agent for design and construction. We look forward to receiving proposals within the next thirty days. The general contractor is on the job and there is contemplated no delay pending completion of negotiations with the sub-contractors.

Congressman QUIE, I hope that the information which I have herewith provided you and any additional information which you may request will satisfy the doubts and questions which members of Congress may have concerning the distribution of "John F. Kennedy: Years of Lightning, Day of Drums." Embassy Pictures, the Center Trustees, and I personally will do everything within our legal powers to prevent the partisan use of the film, and I assure you that we are in complete agreement with you that the film should not be exploited by anyone for such purposes. From the inception of the Center and during the Eisenhower, Kennedy and present Johnson administrations, the Center has been free from any political partisanship and we will continue to maintain our policy of non-partisanship.

Very truly yours,

ROGER L. STEVENS,
Chairman, Board of Trustees.

P.S.: Since this letter was written my attention has been called to a situation in Dallas, Texas, and according to my present information, though sponsored by a political organization, the picture is being exhibited as a public service and the net proceeds will be used for charitable purposes and not for partisan or political fund raising purposes.

R.L.S.

Mr. Speaker, after a thorough study of the reply and independent investigation, I am satisfied that the Kennedy Center had nothing to do with the unfortunate scheduling of partisan showings of the film in at least four areas, which I have spoken of before on the floor. This cannot be said, however, for Embassy Pictures, who I feel was very negligent.

On the same date I sent a similar letter to the head of Embassy Pictures, who is distributing the film. To this date I have not received a letter from Mr. Joseph E. Levine relative to how much profit, if any, the company or Mr. Levine will gain from the arrangement between Embassy Pictures and the Kennedy Center.

It would appear, however, that Embassy Pictures was not careful enough to warn theater owners not to use the film for political advantage. In the four instances that have come to my attention, it was apparently the local distributor or local theater operator or the local political figure who created the unfortunate incidents.

I have received, however, copies of a letter and telegram issued by Embassy to all theater owners, which appeared in yesterday's RECORD.

The warning from Embassy did not go out until September 2, 1966, after the issue of partisan showings of the film had been raised by several newspapers.

In my view these unfortunate incidents could have been avoided if Embassy Pictures had made it clear from the start that there would be no partisan use of the film allowed. Certainly Congress made it clear when the whole matter was debated in 1965 that any exhibit in the United States should be nonpartisan. It was regrettable that Embassy Pictures did not emphasize this more when the contracts were signed in the first place with the 91 theaters.

I hope that the revelations of the past weeks will bring the whole matter to an end.

I have nothing against showing this film in the United States. I hope to view it myself. I still believe that a greater effort should have been made to prevent the film being used for political purposes. One would surely expect that after the matter was discussed so thoroughly, when the resolution was before the House, this would never have been permitted to happen.

As I have said before here on the floor, I regret that the nationwide date for distribution was chosen as the end of September. I believe that the date should

have been changed until after November 8, election day.

I regret that the administration has still not spoken out publicly on these incidents. A firm stand by the administration at an earlier date, I believe, could have stopped these four attempts before they caused so much doubt to be raised about the "nonpartisan" use of the film about our late President.

HOUSE EDUCATION AND LABOR COMMITTEE LIMITS POWERS OF ITS CHAIRMAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Alabama [Mr. GLENN ANDREWS] is recognized for 5 minutes.

Mr. GLENN ANDREWS. Mr. Speaker, as a member of the House Education and Labor Committee of this body, I was present at this morning's historic meeting of the committee, and I would like to offer to you, my colleagues, my impressions of what transpired there today. I am proud to have been instrumental in the action which has been taken to limit the powers of the chairman of the Education and Labor Committee.

But the action taken by the committee does not go far enough—POWELL should be investigated by a special congressional committee, and the entire Congress should decide whether or not he should be censured or expelled from Congress. Obviously, the Democrats and certain northern liberals in Congress are afraid to open that can of worms.

Instead, they—and POWELL—have tried to whitewash the entire affair, and hide POWELL in the closet of new rules until after the new Congress is elected in November.

The overwhelming Democrat majority in the entire Congress elected POWELL to his position of power. To protect the integrity of Congress, the full body should now consider stripping him of that power and his right to a seat in Congress.

I urge all Members of the House of Representatives to join me in demanding that Congress immediately take up this major question for consideration by supporting the resolution I have introduced today.

LET'S GIVE OUR TEACHERS THE SUPPORT THEY DESERVE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] 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 Louisiana?

There was no objection.

Mr. WOLFF. Mr. Speaker, the teaching profession is among the most honorable of callings and is the basis of our society. I for one am hopeful that the status and appeal of the teaching profession among our people, particularly among young people who are considering teaching as a career, will continue to increase. Our teachers must receive compensation commensurate with their contributions to our way of life and the bill I am today introducing, to make deductible from Federal income taxation the expense of further education for teachers including travel expense, is a step in a most worthwhile direction. I commend this legislation to the early consideration of my colleagues.

WAR ON POVERTY IN ST. JOSEPH COUNTY, IND., BEING WAGED EFFECTIVELY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] 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 Louisiana?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, next week the House is scheduled to begin floor action on the Economic Opportunity Amendments of 1966. One major source of debate is certain to be the community action program, which the Office of Economic Opportunity has made the heart of the Nation's war on poverty.

Community action has, of course, not worked with equal success in all parts of the country, but I am convinced that it has the potential to serve every community—large or small, urban or rural—as an effective focus for antipoverty activities.

In my own district, the community action program is fulfilling this potential. Recently I completed a tour of the 10 programs coordinated by ACTION, the community action agency for St. Joseph County, Ind. I was able to see firsthand the impressive results of outstanding leadership and wholehearted community support for the antipoverty program in South Bend and St. Joseph County.

For example, Mayors Lloyd Allen of South Bend and Margaret Prickett of Mishawaka, both Republicans, have given the same strong support to ACTION that I, a Democrat, have given. Persons representative of every sector of the community—including representatives of those participating in antipoverty programs—are deeply involved in the planning and operation of the war on poverty in St. Joseph County.

I wish to pay particular tribute to Valjean Dickinson, executive director of ACTION, who together with a first-rate board headed by Nathan Levy, has conducted with great skill and dedication the planning and coordination that are essential to a dynamic community action program.

The war on poverty in St. Joseph County also benefits from extraordinarily able direction of the individual antipoverty programs within it. I wish to salute these outstanding program directors: C. Lee Crean, Jr., director of the Small Business Development Center; Conrad Kellenberg, director of the legal services program; Ernest Kovatch, director of Project STEP; Hugh O'Brian, director of the Notre Dame research project; Thomas Riedy, administrative director of Project Headstart; Richard M. Rembold, executive director of the neighborhood study help program; Arnold Solomon, director of the Centro Cristiano de la Communidad; and Richard Thompson, director of Project Upward Bound.

The South Bend Tribune, the major daily newspaper in St. Joseph County, has chronicled the progress of this drive against poverty in a first-rate series of articles on the many antipoverty programs coordinated by ACTION. I commend these articles to my colleagues as evidence of what the community action program—given outstanding leadership and support—is capable of accomplishing in communities across the country.

Under unanimous consent, I insert these excellent articles in the RECORD:

[From the South Bend (Ind.) Tribune, Mar. 20, 1966]

ACTION HEADS COUNTY WAR ON POVERTY—ST. JOSEPH GETS $1,581,844 FUND SINCE AUGUST 1964

(By Beverly Welsh)

Armed with more than $1.5 million in federal funds provided through the Economic Opportunity Act, St. Joseph County has formed ranks to wage its "hometown" front in the war on poverty.

Since August, 1964, when President Johnson signed the Act into law, grants totaling $1,581,844 have been channeled into the county to date to finance 90 per cent of programs aimed at attacking hard-core poverty at its roots.

Another $725,860 is awaiting approval which could push the county's total in federal grants to more than $2.3 million.

The county grants approved and awaiting approval by the Federal Office of Economic Opportunity in Washington represent .1 per cent of an estimated $2.3 billion in poverty spending on the national level.

GET CONTRIBUTIONS

In addition to the federal funding, the county programs are supported by at least 10 per cent as in-kind contributions.

Designed originally to phase down the level of federal assistance, the Economic Opportunity Act was amended in 1965 to authorize the continuance of 90 per cent federal aid through fiscal 1967.

The 1965 amendments to the Act also authorized the continuance of appropriations through fiscal 1967 on a Title-to-Title basis.

If the existent and proposed county programs are continued into another fiscal year, the spending conceivably could equal that of fiscal 1966.

When the Act was signed by the President on Aug. 20 less than two years ago, it was announced that the purpose of the legislation was to mobilize the human and financial resources of the nation to combat poverty in the United States.

ESTABLISHES OFFICE

Among other things, the Act established the Office of Economic Opportunity in the Executive Office of the President with responsibility for co-ordinating the poverty-related programs of all federal agencies.

St. Joseph County rallied to the call to attack poverty at its roots on Aug. 24, 1964, when Mayors Lloyd M. Allen and Margaret Prickett appointed a committee to co-ordinate local participation under the new Act.

The purpose of this committee was to determine if the community needed a new overall plan to join the war on poverty.

PROVIDES ASSISTANCE

In addition, United Community Services of St. Joseph County, was asked to provide the new committee with research and technical assistance in areas involving problems of social welfare.

From that first committee evolved the organization known as the Action Committee to Improve Opportunity Now (ACTION), Inc.

ACTION, headed by Valjean Dickinson as executive director, is governed by a board of directors comprised of 26 members from community organizations and 10 community-at-large members.

The constitution of ACTION provides for additional representation if it is determined that this representation is desirable or needed.

During the first year of the community's phase of the war on poverty, ACTION has been charged with the administration of poverty planning, neighborhood organization, program development and the development of financial resources to provide local shares for projected programs.

GROUPS REPRESENTED

Organizations represented on the ACTION board of directors include National Assn. for the Advancement of Colored People; United Negro Council; Urban League; Negro Ministerial Alliance; United Community Service; Township Trustees Assn.; Jewish Community Council; organized labor; Catholic Diocese of Fort Wayne-South Bend.

Also—Human Relations Council; community school corporations; county Department of Public Welfare; South Bend Common Council; Mishawaka Common Council; St. Joseph County Commissioners; county Council of Churches; St. Mary's College; Bethel College; University of Notre Dame; South Bend-Mishawaka Campus of Indiana University;

Also—LaSalle Park Neighborhood Council; Clay Twp. Neighborhood Council; Northeast Side Neighborhood Council; West Washington Assn., and Southeast Side Neighborhood Council.

How many poor are there in St. Joseph County?

Local poverty leaders, using a 1960 census of population of 238,614, have determined that there are approximately 3,096 families with an income of $2,000 to $3,000 a year; 2,437 with an income of $1,000 to $2,000, and 1,517 with less than $1,000 a year.

COSTS ARE LISTED

What are the lines formed to attack poverty? What is it costing?

ACTION, Inc., plan and develop commmunity action programs, $114,160 (fiscal 1966), including $45,000 poverty survey to determine neighborhood composition and needs.

Medicare Alert, inform the elderly of the new provisions of the Social Security Act, $6,236 (3-month project ending mid-April).

Neighborhood Study Help Program, tutor 600 disadvantaged junior and senior high school students who are failing or underachieving, $83,359 (one year to February, 1967).

Legal Aid and Legal Education, provide competent legal counsel for at least 3,000 poor annually. Train in a practical way law students and others to deal more effectively with problems of the poor, $101,755 (one year to March, 1967).

Small Business Development Center, provide management training and financial assistance to low-income, owner-operators and potential owner-operators of small businesses, $43,210 (fiscal 1966).

HEAD START PROGRAM

Head Start, pre-kindergarten training to assist disadvantaged children to adjust to school, $13,275 (8-week summer program in 1965 enrolling 90 children). A $64,715 program enrolling 520 children July 1 through Aug. 26 approved by ACTION board for application of federal funds.

STEP (South Bend Training for Employment Program), first major program for county under the EOA. Designed by South Bend Community School Corp. in co-operation with other school districts to offer vocational guidance, supervised work and marketable training to 420–500 youth 16–21, $703,026 (fiscal 1966). A budget of $659,613 is proposed for fiscal 1967.

Centro Cristiano de la Communidad, plan and develop program for Spanish-speaking migrants, $47,568 (fiscal 1966).

PAC (Program for the Advancement of Capabilities), pilot program to train potential migrant leaders to assist fellow workers, $85,210 (two, 12-week sessions enrolling about 80 participants.)

REMEDIAL INSTRUCTION

Non-curricular Remedial Program, provide instruction in language, reading, arithmetic and writing to Spanish-speaking migrants, $51,690 (July 15 to Aug. 27, 1966, enrolling 280 children 3–14). Expenditures for program totaled $5,000, leaving a surplus of $46,690.

Work-Study Program, finance cost of part time employment and permit students from low-income families to enter upon or continue higher education. University of Notre Dame, $27,447 (fiscal 1966). St. Mary's College, $17,286 (fiscal 1966).

Research Grant, ($287,622), first of its kind in the nation to finance study by University of Notre Dame to determine what community welfare and other agencies are doing to motivate a poverty "break-out" and to assist in the development of more effective programs.

Upward Bound, provide pre-college counseling to 80 eighth and 10th grade girls and boys from socially disadvantaged homes while in summer residency at Notre Dame and St. Mary's College, $66,222.67 (Notre Dame, 6 weeks, 1966, plus follow-up September, 1966 to June, 1967); $27,025 (St. Mary's, four weeks 1966, plus academic year follow-up).

[From the South Bend (Ind.) Tribune, Aug. 18, 1966]

STUDY HELP PRAISED HERE—EVALUATION CITES IMPROVEMENT OF VERBAL SKILLS

(By Beverly Welsh)

"Success beyond our expectations" is the evaluation given the Neighborhood Study Help Program summer project by Richard Rembold, program director.

Rembold explained his evaluation was based on the words and actions of the people in the program—"the advisers, the tutors, and most of all the children themselves."

He cited a marked change in verbal skills of the children as probably one of the most unexpected successes.

A pilot project initiated by the Neighborhood Study Help Program, it was conducted on an experimental basis to provide answers which could be determined only by actual experience of summer study help and cultural enrichment for less-advantaged children.

For the 181 neighborhood children enrolled in the project, 40 days of study, play, trips and flying will end Friday.

MONEY FROM BUDGET

The summer experiment was financed from the NSHP 1966 fiscal budget. NSHP was funded in March for one year with $83,359 by the Federal Office of Economic Opportunity.

While the summer comes to an end for the children, the NSHP director and his staff will be working on the academic year phase of the program which is scheduled to reopen in 20 centers the second week in October. Rembold said in excess of 500 children are expected to be enrolled in the fall program.

Neighborhood Study Help was founded in November 1963, when the first center was opened in the First AME Zion Church as the result of co-ordination between students from the University of Notre Dame and the local chapter of the NAACP.

It is the hope of the program staff that the summer phase will be continued.

Mrs. James Glaes, program co-ordinator, described the summer program as a "healthy mixup of people . . . a people meeting people type program."

PREFERS READING

Rembold said the reception given the reading portion of the program was sharply focused when one of the slower children announced he would rather read than join the others in games.

Art and music in the summer project provided information about co-ordination, perception and emotions, according to Rembold.

The advisers and volunteers at each of the six summer centers all remarked about the improvement of verbal skills of the children. It was the aggregate opinion of the volunteers that they learned more than the children by becoming more aware of the problems within the South Bend community.

Between 90 and 100 volunteers worked in the summer program, including 10 nuns from St. Mary's College, all qualified reading teachers.

"The nuns had a choice of working in the Appalachia project or ours, and chose ours." said Rembold.

CENTERS EQUIPPED

Each of the centers was provided with a variety of equipment and supplies to assist the advisers and volunteers in teaching attribute skills, according to Mrs. Glaes.

Listing some of the activities, Mrs. Glaes said there was reading (from books referred by Human Relations Council), field trips, visits to private homes and daily trips in an airplane so the children could see South Bend from the air and use the ground to air radio.

Groups of 10 to 20 children at times, 30 sometimes and sometimes only five, visited homes in the area for picnics, swimming and morning or afternoon refreshments.

The rapport achieved between the children and the "home hosts" was typified by one particular visit which ended on first-name terms, according to Mrs. Glaes.

Transportation was probably the only problem which arose, but that was solved when the South Bend Community School Corp. came to the rescue with school buses, said Rembold.

In addition to the art, music and other activities, Luther Bellinger of the South Bend Community School Corp. conducted a workshop in modern mathematics.

An official evaluation of the summer project is being made by the Sociology Department of the University of Notre Dame, utilizing taped interviews made with the center advisers and hosts.

The NSHP staff has available for community viewing photographic slides showing the activities of the summer at the various center.

All of the children enrolled in the project participated in a special program, "Around the States in 40 Days," presented Wednesday night in the auditorium of the South Bend Public Library.

As an anti-climax to what has been described as a "successful" venture, the children from the centers will be guests this weekend at a circus.

UPWARD BOUND RESULTS GOOD

(By Roger Birdsell)

Society's potential losers can be "turned on" but it takes a lot of personal attention—and a lot of money.

The "turned on" phrase was used by Dr. Richard J. Thompson in assessing the strikingly good results obtained this summer in the University of Notre Dame's first Upward Bound Program.

Fifty high school boys handicapped by poverty lived, ate, studied and played this summer at Notre Dame. For the first time, Thompson remarked, "they were exposed to the affluence of an affluent society."

Upward Bound is a national program sponsored and financed by the U.S. Office of Economic Opportunity as part of its "war on poverty."

The goal is to motivate teenagers disadvantaged by poverty to succeed in their high school work and aspire toward college. Notre Dame was given $72,490 to make the attempt with 50 boys.

COUNSELORS SELECT BOYS

High school counselors were asked to help select boys with a potential for college work of a type who "nearly everybody thinks is a loser" on the basis of their high school records.

Ninety per cent of those selected had to meet a family income test required by law. The test established an income ceiling of $1,500 a year for the first person in the family and an additional $500 for every other member of the family.

Parental consent for participation was required. Of the 50 finally selected, 16 came from Riley High School, seven each from Washington and Central, nine from LaSalle, three from Mishawaka, six from Penn and one each from Marian and North Liberty.

Every effort was made to give the boys a sense of college life. They were housed in Lyons Hall on the campus and ate in the South Dining Hall.

During the mornings, they took courses in English and mathematics. While the course content was geared to the secondary level, the class atmosphere sought to duplicate that of the college seminar.

STUDY ART, MUSIC

During the afternoons, the boys engaged in physical education and developmental reading activities. They were also given the opportunity to take lessons in art or music appreciation.

A number of field trips were scheduled and varied in content from a Chicago Bears professional football scrimmage, to a professional summer stock theater performance, to a lecture tour of the Notre Dame Radiation Research Laboratory.

The seven-week summer program ended with a banquet in the Morris Inn Thursday, and Thompson, the program director, said "You'd have thought it was just another Notre Dame student function."

The program staff would not have predicted such a situation at the start. Indeed, everyone was braced for some reasonably serious disciplinary problems.

None developed. The staff gives a good deal of the credit to the boys themselves. "These boys were very conscious of the impression they would make," Thompson remarked. "They knew the future of Upward Bound on this campus depended on them."

NOTRE DAME STUDENTS HELP

The other major factor appears to have been the 12 Notre Dame students who served as counselors, living in the dormitory with the younger boys, eating with them, playing with them and helping with their studies if asked.

"As far as I am concerned, the counselors made the whole thing go," Dr. Donald C. Sniegowski stated. Sniegowski, an assistant professor of English, taught one of the English sections in the program.

Sniegowski said the Notre Dame students were the primary source of "values" for the high school boys. Treating the boys as equals, the Notre Dame men nonetheless acted as goal-models, Thompson remarked.

Thompson, a philosophy teacher and assistant dean of the general program at Notre Dame, said the counselors served as "middle-class informants." Among other things, he noted, they showed "that desires do not have to be filled immediately but can be postponed as goals toward which to work."

So important are the counselors considered, they are being asked to continue their association with the high school boys this coming year, visiting in their homes and encouraging the positive development started this summer.

EFFORT CONTINUES

The continuing program in the coming school year is a matter of deep concern to Thompson. "Undoubtedly, there will be problems of adjustment as these boys go back to their old environments," he remarked.

Adjustment without loss will be assisted, however, by the general support for the program received from the parents of the boys, Thompson said.

Reports on summer progress are being sent to the high school counselors, and Dr. Eldon Ruff, director of guidance for the South Bend Community School Corp., has agreed to take an active role in the follow-up program. Luther Bellinger, co-ordinator of mathematics for the system who taught in the summer program, will also assist in the follow-up.

The Notre Dame connection will be maintained by inviting the 50 boys back to the campus occasionally during the school year for selected events.

Hopefully, Thompson said, the Notre Dame program will be funded next year to bring the original group back for a second summer on campus while starting a new group in the same cycle.

There is no doubt the original 50 made academic progress this summer. Sniegowski estimated about three of his English students exceeded expectations, about 12 reached desired levels of achievement and about three fell below expectations. Thompson said this pattern of achievement was typical.

FAITH IN SELVES

The staff learned, somewhat to their surprise, that boys deprived by poverty do not consider themselves the victims of society. "Most of them believe they can affect their own futures," Sniegowski said.

Other traits shared by most of the boys were said to be a strong sense of morality and intense loyalty to a close personal friend.

With 12 instructors, 12 counselors, a director and an assistant director, John Kromkowski, Upward Bound achieved a staff-student ratio of better than 1-2.

This is expensive education—about $1,600 per student for the first year when the Notre Dame contribution of 10 percent of the total is added to the federal money—but the results are impressive.

All of the 50 boys, including three who had dropped out, will be going to high school this coming year, most of them as juniors. Many are now aiming at a college career.

As one boy wrote last week, "It (the program) has gotten me back into school. Before I wasn't interested in school. Now I want to go back to school and then go to college."

MIGRANT CHILDREN GET HELP

(By Beverly Welsh)

A yellow school bus draws to a stop and a group of children joins those already aboard to begin another summer day in a schoolhouse or church.

These are the children of families who have come to St. Joseph County from the Southwest's Rio Grande Valley to tend and harvest the farm crops.

Three buses shuttle back and forth daily from the various farms to Greene School and Sumption Prairie Methodist Church on Roosevelt Rd. to transport about 180 children, most of them Spanish-speaking, who are enrolled in three summer projects financed with Federal Office of Economic Opportunity anti-poverty funds.

About 100 in the first through eighth grades attend an 8-week Non-Curricular Remedial Education School funded for $20,880. Fifty pre-school children are enrolled in a Child Care Education and Service Program funded for $12,696. Another 30 infants and toddlers, up to three years, are enrolled in a second Child Care Education and Service Program funded for $17,391.

ALL THREE SUPERVISED

All three programs are supervised by the county's Centro Cristiano de la Communidad, the agency designated to help migrant labor families.

Funds for the operation of the programs are provided under Title III-B of the Economic Opportunity Act (1964), and are channeled through the Associated Migrant Opportunity Services (AMOS), Inc., the Indiana state agency charged with co-ordinating migrant service programs under the act.

Arnold Solomon, executive director of Centro, described a typical day in the remedial school.

He said the program schedule basically offers an hour of indoor or outdoor recreation, an hour of art and music and several hours of training in the language arts. A hot lunch and snacks are provided, and sometimes breakfast.

For the younger children, the day is similar, except there are naps and games geared to the age group to help teach language—and, in the case of babies, there are regular feedings of formula prepared under the supervision of a registered nurse.

The Child Care Education and Service Centers are licensed by the Indiana Department of Public Welfare in co-operation with the Indiana State Fire Marshal's office and the Indiana State Board of Health.

COTS PROVIDED

Cots for napping are provided in compliance with federal regulations and the nursery, with its cribs and supplies for infants, are kept "hospital clean," according to Reynaldo Hernandez, Centro's co-ordinator for all services and in-service training for migrant youth.

Greene School which houses the Remedial School and the center for pre-school children is provided rent-free by the South Bend Community School Corp.

The church which houses the center for infants and toddlers also is provided rent-free. Rev. Dewey Findley, the pastor, is a member of the Centro board of directors.

In addition to these "in-kind" contributions, surplus commodities are used to supplement the food program, according to Solomon.

He pointed out, however, that Centro has the financial responsibility of building maintenance and any additional custodial services.

The remedial school is in its second summer of operation. Last summer the program was funded for $51,690, but used only $5,000 leaving a surplus which went back into the general state fund.

WILL HAVE SURPLUS

Solomon pointed out that probably all funds would not be used this year and the programs would end with surplus funds.

Both the pre-school and infant-toddler centers are new programs this summer for Centro.

Donald Wilson, a member of the Greene School teaching staff, is serving as the principal of the remedial summer school. His staff includes Mrs. Gloria Regier, first grade; Elmer Regier, second grade; George Schmidt, third grade; Miss Dolores Holcomb, fourth and fifth grades; Mrs. Patricia Burns, sixth-

eighth grades; Mrs. Mary Louise Coleman, art and music, and Frank Freeman, health and recreation.

The center for pre-school children is under the direction of Miss Virginia Robinson, supervisor of pre-school programs sponsored by the South Bend YWCA. Her assistant is Miss Janet Pence, student teacher.

Miss Beverly Peterson, R.N., is the director of the infant-toddler center. Her assistant is Mrs. Linda Burress.

Mrs. Margaret Horn, Greene School lunchroom supervisor, designed and is director for the food service program. Assisting her are Mrs. Florence Kurzhal and Mrs. Helen Floran, cooks at Greene.

Their portion of the over-all program includes the training of migrant mothers and youth aides in the art of institutional food services.

In addition to the professional staff, the school and center employs the services of about 19 migrant aides and about 14 aides from the STEP Program of the South Bend Community School Corp.

Solomon said the migrant aides receive a stipend of $50 a week. The STEP aides receive $1.25 an hour for a 30-hour week.

HAD PHYSICALS

Prior to the opening of the school and centers the end of June, more than 100 children were given complete physical and dental examinations through the co-operation of Dr. Rafael Rabasa, Dr. Bernard Levatin and Dr. Bernard Nevel. They were assisted by the school professional staff and the in-service trainees.

A visitor to the school of centers will find happy, well adjusted children.

Meanwhile, Solomon pointed out, the parents have the security of knowing the children are getting professional supervision while they work in the fields.

The happiness of the children is reflected in the bright art objects made from milk cartons and assorted sections of The Tribune, as well as in the eager participation in learning and playing.

Official tours of the project are encouraged by Centro, said Solomon, adding that arrangements may be made by calling Reynaldo Hernandez at the Centro headquarters, 2910 Western Ave.

"CENTRO" HELPS MIGRANT OWN OIL STATION

(By Beverly Welsh)

Jose Solis, 28, of 725½ S. Fellows St., is proof that in the United States there is equal opportunity for anyone who seeks it.

A year ago, Solis was working in a Plymouth pickle processing plant for $1.35 an hour.

Today, he is buying his own service station at 4215 S. Michigan St., and is a registered voter.

This new found independence is due in part to the co-ordinated efforts of Centro Cristiano de la Communidad and the Small Business Development Center, components of St. Joseph County's community action program against poverty.

MOVES FROM TEXAS

Solis, who is married and the father of two pre-school children, came to South Bend last October with his family from Weslaco, Tex., in the Rio Grande Valley.

Little did he know then he would be leaving the migrant labor stream of which he had been a part for 20 of his 28 years to begin a new life.

Solis was one of 26 Spanish-speaking people who stayed after the farm crop harvests to enroll in an experimental project for migrants, Program for the Advancement of Capabilities (PAC), initiated by Centro.

He was taught conversational English, American history, community organization, government and social studies, and also attended a four-week lecture series on civil rights and legal procedures and problems offered by the University of Notre Dame.

Arnold L. Solomon, executive director of Centro, said he believed that Solis' involvement in PAC influenced his decision to go into business for himself.

With the help of Thomas A. Bolden Jr., financial assistance co-ordinator for the Small Business Development Center, Solis made application in April for an Equal Opportunity loan through the Small Business Administration.

The loan approved for the purchase of a service station on a 10-year note, Solis then attended a seven-week training course to learn the business.

A few days ago he opened the doors of his service station as the first migrant laborer to receive an Equal Opportunity Loan in St. Joseph County.

How does Solis feel? "It is a great opportunity to be on my own."

He knows the risks of business, but is willing to face the risks. He won't face them alone. One of the services offered by the Small Business Development Center is the assistance of a qualified counselor to help him with any problems which may arise.

His wife, meanwhile, serves as a community aide for Centro, teaching sewing, consumer economics and English at farm labor camps in St. Joseph and Marshall counties.

STEP IS SUCCESSFUL HERE IN WORK WITH DISADVANTAGED

(By Roger Birdsell)

STEP, the federally-supported community program for economically disadvantaged older youth, is seen as "a successful venture" after the first year of operation.

"Many young people have been given opportunities to improve themselves educationally, vocationally and personally," Dr. Eldo E. Ruff, director, concluded in the first annual report.

These opportunities were grasped with "eagerness" in many cases, less quickly in others and not at all by a small minority, Ruff stated.

Operated by the South Bend Community School Corp. under the Neighborhood Youth Corps provisions of the Economic Opportunity Act, STEP completed its first year of operation at the end of May.

The conclusions of its effectiveness are based largely on two special studies, one a followup of what happened to 270 youths who left the program and a more intensive study of 15 students enrolled in May, about 5 per cent of the total then enrolled.

AID 16 TO 22 GROUP

The purposes of STEP are to give low income youths between 16 and 22 "a chance to complete their education, acquire good work habits and attitudes, develop a good work record, obtain remedial instruction if needed, learn the skills of occupations where workers are in demand, receive full time job placement, become more financially independent and receive intensive counseling and guidance.

To achieve these purposes, youths are given guidance and counseling, jobs with pay in public and non-profit private agencies and the opportunity to complete their high school education or some other training.

In the follow-up study the 306 youths who had left the program before May 1 were sought for questioning, with 270 responding. The others had moved or could not be contacted.

Of the 306 who left, 35 per cent did so because they had other jobs or promises of other jobs immediately. Twelve per cent moved from the area and 10 per cent were declared ineligible, nearly all because of a change in family income status which made them ineligible under the law.

Thirteen per cent "left the program voluntarily because they felt that they could not respond to or were not interested in the training offered."

FEW DISMISSED

Three per cent, eight individuals, were dismissed for misconduct and represented, Ruff said, "a hard-core group that could not be helped by the program."

Other reasons for termination were further education or training, 8 per cent; press of regular school activities, 6 per cent; no available STEP job, 3 per cent; enlistment in armed forces, 3 per cent; pregnancy, 3 per cent and other, 4 per cent.

The questionnaires answered by 270 of those who had left showed that 35 per cent were still in high school and 4 per cent had gone on to college.

Classified as "drop outs" were 43 per cent who had not yet completed high school. The remaining 22 per cent were high school graduates in the program last summer. STEP regulations have changed, and it is no longer possible to enroll high school graduates.

Questioned on their employment status, 25 per cent were working full time and 16 per cent part time. Another 33 per cent were looking for jobs, and 11 per cent were not working and not looking for jobs. The armed forces, marriage and other reasons accounted for the balance.

SOME PAID MORE

More than half of those employed said they were receiving an hourly wage in excess of what they received for their STEP jobs. The not-working group included many in school who planned summer employment.

Asked if their present jobs related to their life goals, nearly half said "not at all." However, 77 per cent said they were at least reasonably well satisfied with their jobs.

"It appears," Ruff commented, "that many of these individuals are working in jobs that are of a different type than those that they hope to have eventually, but these jobs are of the kind the individuals would expect or accept for the time being.

"This implies that many are being realistic in their views of job possibilities relative to their capabilities."

Asked how they found their first job after leaving STEP, only 17 per cent said it was through STEP. Ruff noted, however, that the program policy was to encourage youths to go out and seek employment as much on their own as possible.

STAFF AIDED JOB SEARCH

The STEP staff actively sought out potential job openings for which youths enrolled could apply. During the year, this activity resulted in 160 probable jobs with 134 employers, Ruff reported.

"In response to the question of how STEP was helpful other than providing an income, the greatest number reported they improved in 'assuming responsibilities.' This was followed by the category 'getting along with others.'

"Considering the indifferent and somewhat hostile attitudes of many of the enrollees, there was probably greater room for improvement in these two categories."

In the more intensive study of 15 enrollees during May, the students were asked if they felt STEP had any influence on their feelings toward home, education or work.

"Over three fourths stated they felt there had been a change. Many defined this change as growth toward maturity. Thirty six per cent indicated their vocational plans have changed since being enrolled."

As an indication of this sense of maturity, Ruff noted that 80 per cent had savings accounts averaging $152 and 33 per cent had established credit at local retail stores through charge accounts.

PARENTS SEE IMPROVEMENT

Parents of the intensive study group were interviewed and almost all saw a change for the better in their child as a result of STEP. However parents indicated a lack of full understanding of the program objectives and a desire for more contact with STEP counselors.

Work supervisors with agencies providing jobs for STEP enrollees were queried in the intensive study. Among other things "78 per cent noted a positive change in work attitude, attendance, assuming responsibilities, initiative and getting along with others."

STEP officials have received federal funding through this summer and are now in the process of requesting $469,890 to extend the program through the summer of 1967 from the U.S. Department of Labor, which administers the national program.

Operationally, the program has settled down to about 300 "in-school" youths and 100 "out-of-school" youths at any one time. The in or out of school designation is also used in the assignment of funds.

Ruff has left the STEP program to resume his position as director of guidance for the school system. Ernest Kovatch, who has been operations assistant director, is now director of STEP. His old assistant post is eliminated. The program has seven counselors, three work coordinators and a clerical staff.

REASON TO BE SOUGHT FOR 2,000 JOBLESS

(By Beverly Welsh)

A survey of St. Joseph County to determine why an estimated 2,000 unemployed adults are not employed was ordered Wednesday by the board of directors of the Action Committee To Improve Opportunity Now (ACTION), Inc.

The board also authorized Valjean Dickinson, executive director of ACTION, to hire six interviewers for two months to conduct the survey.

Cost of the survey will be financed from the $45,000 consultant and contractual services allocation of the total operating budget of $114,000 for ACTION, according to Dickinson.

The director explained that the estimated 2,000 unemployed adults was an arbitrary figure determined by a preliminary check with township trustees, the Department of Public Welfare and the Indiana Employment Security Division.

NO YOUTHS IN TOTAL

"There may be more or fewer on the unemployment rolls," he told the board. He noted that the figure does not include the number of employable youths who are unemployed.

One of the interviewers to be hired will concentrate entirely on unemployed youth.

It is expected that the survey will begin the first of June. Questionnaires to assist the interviewers are now being prepared, Dickinson said.

Action by the board was in answer to a recommendation from Gov. Roger D. Branigin, Lewis F. Nicolini, director of the Indiana State Employment Security Division, and the Advisory Committee of the St. Joseph County Manpower Development and Training program which is headed by Franklin D. Schurz, editor and publisher of The Tribune.

The board adopted a resolution giving the Small Business Development Center of St. Joseph County "high priority" as a component of ACTION.

RESOLUTION NECESSARY

The board has been notified by the regional Office of Economic Opportunity at Chicago that the resolution would be necessary before the office could process the SBDC budget request for $63,497 in Federal OEO funds for fiscal 1967.

Regional officials also had notified the ACTION board that processing of the budget request would be withheld until the SBDC submitted an evaluation of its 1966 fiscal program to date, and reported any modifications in the program since its inception last September.

Both the evaluation and list of modifications were approved by the ACTION board, authorizing the re-submission of the budget request.

The 1966 fiscal operation of the SBDC is funded for $52,680 by the Federal Office of Economic Opportunity.

On the recommendation of the Personnel Committee, the board authorized an increase in salary, from $11,000 to $12,800, for Dickinson.

APPOINTS COMMITTEES

Nathan Levy, board president, announced the appointment of members to the Finance and Nominating Committees. They are:

Finance Committee, Sister Christine Marie, chairman, and Jesse L. Dickinson, Richard C. Bodine and Richard G. Geib.

Nominating committee, Frederick K. Baer, chairman, and Dr. James M. Wilson, Mrs. Joseph W. Hennessy, Thomas P. Bergin and Mrs. Reba Phillips.

Progress reports were presented by Dickinson on poverty programs approved and pending for St. Joseph County:

Neighborhood Facilities Centers: Proposal expected to be ready for presentation to the ACTION board at a special meeting prior to June. The proposal is expected to seek operation of 4–5 centers at an estimated cost of $50,000 a center.

Legal Service and Legal Education: Eight applications for two positions for attorneys are being screened. Renovation of a building at 313 E. Broadway started for the opening of the first neighborhood legal service office. Building rental is expected to be $70 a month, which according to Dickinson, could lead to the opening of another neighborhood office sooner than had been anticipated. The rental allocation under the program's total budget is $325 a month. The program has $101,755 in federal OEO funds.

LOOK FOR METHOD

Head Start: Meeting scheduled for Monday to determine the method for hiring neighborhood people to serve as teacher aides. The program has federal funds of $64,696 for the operation of 14 centers to serve approximately 520 children from July 1 through Aug. 26.

Case Aide project: A proposal that would see neighborhood people placed as aides in the field of social work. The ACTION staff currently is compiling information in cooperation with 25 existing social service agencies in the county.

Youth Opportunity Center (YOC): Proposal to be funded through the U.S. Department of Labor. Awaiting signature of officials of the Indiana Department of Labor.

[From the South Bend (Ind.) Tribune, Dec. 23, 1965]

ACTION DIRECTORS OK FEDERAL FUNDS—$101,755 APPLICATION AUTHORIZED—MONEY TO FINANCE LEGAL SERVICE PROGRAM

(By Beverly Welsh)

The board of directors of the Action Committee to Increase Opportunity Now, Inc. (ACTION), Wednesday authorized the application for federal funds, totaling $101,755, to finance a proposed $136,161 Legal Service and Legal Education Program (LSALEP) for 1965–66.

The program as proposed will be forwarded to the regional office of Economic Opportunity in Chicago subject to obtaining an anticipated commitment of $18,541 from the United Community Services of St. Joseph County.

A co-operative venture of ACTION and the Center for the Study of Man at the University of Notre Dame, the program cost of $136,161 is expected to be budgeted through the $101,755 federal grant, $15,865 in in-kind contributions from the university and the commitment from United Community Services.

COUNT ON UCS

The county UCS this year (1965) is providing $18,541 for the operation of a downtown Legal Aid office. It is hoped and expected that UCS will continue to provide at least this amount of support to the proposed Legal Service and Legal Education Program.

The proposed program incorporates the extension and enlargement of the present program of the Legal Aid Society.

Nathan Levy, ACTION president, said it was the understanding of ACTION that the UCS would act to review its position in the program as soon as the proposal was presented for application of federal funds.

Included in the total budget for LSALEP is $88,922 for personnel, $1,960 for travel, $6,148 for space costs and rentals, $2,040 for consumable supplies, $7,000 for rental, lease or purchase of equipment and $11,550 to cover expenditures as the needs arise. The amount allocated for personnel includes $7,129 for employee fringe benefits.

Proposed originially in September, LSALEP was budgeted for an estimated $117,620, including the federal grant and in-kind contributions from the university.

MEETS STANDARDS

The latest budget figure of $136,161 including the stipend from UCS, is in accordance with standards set by the Office of Economic Opportunity that funds are not available to duplicate existing programs.

Under the proposed program, the existing downtown Legal Aid office would be incorporated into the program and would be under the direction of a reconstituted board of directors.

A board membership of 24 is proposed, including 12 members of the St. Joseph County Bar Assn., eight representatives of the poor and representatives of associations and organizations. The bar association representation also would include two members of the faculty of the University of Notre Dame Law School.

If the program is approved for federal grant, a legal service would be established in the Ohio-Keasey St. area, and the existing downtown Legal Aid office would remain where it is for the present. The creation of other offices is contemplated as the needs arise.

Operation of the program would be under the direction of Conrad Kellenberg, adjunct professor of law at the Notre Dame Law School.

The neighborhood and downtown offices would be staffed by three full time attorneys, including one now employed in the Legal Aid office; two full-time secretaries, including one now in the Legal Aid office; a full-time receptionist-file clerk; a full-time social worker; a full-time investigator, and volunteer law students from Notre Dame.

PART-TIME SERVICE

The law students would work part-time during the school year. Two would be on a full time basis during the summer vacation.

In other matters, the financial status of ACTION was reported on by Valjean Dickinson, executive director.

Dickinson said that on Dec. 21, he was notified by the state OEO office that ACTION is free to use funds totaling 1½ times the present allocation of $296,000, giving AC-

TION operating funds totaling in excess of $400,000.

Levy said that based on the additional funds available, ACTION could presumably begin to plan for a neighborhood center program.

He noted that to date—in round figures—applications for federal grant total a little over $300,000, including $114,000 for ACTION $87,000 for the Neighborhood Study Help Program and $101,000 for the Legal Aid and Legal Education Program.

Also approved by the board was the election of Walter Hubbard to the ACTION board as a representative of the Southeast Side Neighborhood Assn. Hubbard, an employee of the South Bend Post Office, has worked in the SCOOPS program for two years, both as a volunteer and staff member.

ELECT THREE

Elected from the Southeast Side Neighborhood Assn. to representation on the Citizens Advisory Committee of ACTION were Cassell Ross, William Heilman and Rev. Steven Whitehead.

Levy noted that Hubbard was the second neighborhood representative elected to the board in accordance with ACTION bylaws which call for six members of the board to be representatives of six neighborhoods where centers probably will be established later by ACTION.

The other neighborhood representative is Samuel Winston, vice-president of the West Washington Assn.

ANTI-POVERTY CRITICISM SLIGHT—SEEK TO IMPROVE

(By Beverly Welsh)

In St. Joseph County, there appears to be little or no major criticism of the federal effort to open the door of equal opportunity to the poor by administrators of local anti-poverty programs.

There is, however, a strong implication by administrators of a need for ways and means of improving the present structure of the anti-poverty bill to allow a more flexible, but discerning, application locally than is now provided by federal guidelines.

Whether any structural changes will be made in the anti-poverty bill, which comes up for debate beginning Aug. 29, in the House of Representatives, remains to be seen.

BUDGET MAINTAINED

Meanwhile, the Federal Office of Economic Opportunity budget of $1.7 billion for fiscal 1967 has been maintained by the House Education and Labor Committee.

Also maintained is the present ratio of 90 per cent federal funding and 10 per cent community participation for anti-poverty programs. Informed sources say that this ratio is expected to end after June 30, 1967, and then become 80–20 per cent.

It is the feeling of Dr. Richard J. Thompson, who directed the Upward Bound program for poor youths with college potential at the University of Notre Dame, that 20 per cent community participation would be difficult for educational systems, and could spell the end to some programs.

IN-COLLEGE TUTORING

Dr. Thompson endorses "in-college" tutoring as part of Upward Bound, as a continuing effort to keep in college the youths who were encouraged to enter in the first place.

Project STEP, administered by the South Bend Community School Corp., could, in the opinion of Ernest Kovatch, operations director, be improved or strengthened by the extension or stepping-up of new proposal processing, and by a closer dovetailing of STEP and the Manpower Development Training Program.

Kovatch also endorses the participation of high school graduates in STEP. At present, the project is aimed at reaching youths 16-22 who are school drop-outs, or potential drop-outs.

MARGINAL INCOME GROUPS

Relaxation of the federal guidelines on participation eligibility of the poor to permit entry of marginal income groups is something most of the local poverty leaders would like to see come about.

The poverty leaders also supported generally the reallocation of unused funds under specific titles to other program titles, to strengthen programs which have been established and are progressing aggressively—such as Head Start.

A national evaluation of how many poor are hired in anti-poverty programs, and in what way volunteers have contributed was called for Arnold L. Solomon, executive director of Centro Cristiano de la Comunidad.

ONE HUNDRED AND SIXTEEN PERSONS PLACED

In his own case, Solomon cited 116 persons placed in jobs or training programs since August, 1965. He said jobs obtained to date as the result of migrant training programs equal an annual earning rate of $509,600. He noted that tax revenue from this earning rate more than offsets the cost of the adult work training program last year.

Richard Rembold, director of the Neighborhood Study Help Program, indicated an interest in an evaluation of whether there is reticence on the part of the poor being labeled "poor."

RELAX CRITERIA

C. Lee Crean Jr., Small Business Development Center director, opinions that a more relaxed criteria for SBDC operations would lead to greater "neighborhood uplift" and would allow the local operation to help deserving persons who could be using the help. It is his thought that SBDC needs more of a "community concept" for its operation.

These casual comments, assessments and recommendations were passed on to U.S. Rep. JOHN BRADEMAS, D-South Bend, as he made an "anti-poverty" tour of St. Joseph County at the invitation of the Action Committee to Improve Opportunity Now (ACTION), Inc.

ACTION, headed by Valjean Dickinson, is the local community agency charged with planning and development of anti-poverty programs during its initial year of operation.

[From the South Bend (Ind.) Tribune, July 21, 1966]

CHANCE FOR POVERTY WAR SUCCESS SEEN—LONG-TERM RESIDENCY OF POOR NOTED—STABILITY OF AREA REVEALED BY SURVEY

(By Beverly Welsh)

A 51-page survey of St. Joseph County has revealed that long-term residency of the poor, is a vital issue in the county's anti-poverty war, a local anti-poverty official said today.

Valjean Dickinson, executive director of ACTION, the county's anti-poverty agency, said his review of the survey analysis showed that more than 86 per cent of the total respondents had lived more than 10 years in the community.

This, he pointed out, indicates a significant stability.

Such "strong community attachment or stability" could be a factor and could lead to long-term success of the community action programs, Dickinson observed.

WILL GUIDE PROGRAM

The survey analysis, submitted by Dr. Frank J. Fahey, sociologist of the University of Notre Dame's Social Science Training and Research Laboratory, will be used as a "tool" to guide ACTION in its future programming for the war on poverty, according to Dickinson.

ACTION, which was organized about a year ago, has existed on a "development grant" with its basic goal being to determine the needs of the poor and develop a program structure that would meet these needs.

The survey was financed through a $45,000 allocation from the $114,000 demonstration grant awarded ACTION.

Eight areas were included in the survey, with 1,899 homes selected at random for participation.

ACTION originally had designated nine areas for survey. Dr. Fahey pointed out that one of the areas "unfortunately" was not included in the survey, because of the inability to obtain a Spanish-speaking interviewer for the western part of the country.

Of the total 1,899 homes selected, the survey produced 1,071 intensive home interviews, according to Dr. Fahey.

The eight areas surveyed included Mishawaka, Clay Twp., South Bend northeast side, Ohio-Keasey Sts., Washington Ave. area, La Salle Park, Ardmore area and the Fillmore Rd. area.

In summarizing the results, Dr. Fahey said that the survey suggested that "there may be a surprising number of stable and self-sufficient family units, among the relatively impoverished population."

(It) also confirmed that there "are significant variations in problems and needs within the ACTION area," said Dr. Fahey, adding that the areas surveyed varied considerably in terms of composition and size.

JOB MARKET STRONG

Generally, the survey reflected the general economic prosperity of the St. Joseph County area, and indicated the strength of the job market.

One conclusion was that "poverty is not exclusively associated with one race or the other."

A question which has been asked since the inception of the "war on poverty" may, in part, have been answered—at least in St. Joseph County—by the survey.

Are the beneficiaries of poverty programs already receiving assistance through some welfare agency?

According to Dr. Fahey's report, "only 10 per cent of the total number of respondents are currently receiving aid from a welfare agency."

The sociologist noted, however, that about 30 per cent had received aid at some time.

Of the 10 per cent receiving aid now, about 58 per cent are on the rolls of the Department of Public Welfare, about 28 per cent are on the township trustee rolls and the remaining 14 per cent are receiving aid from other agencies.

One of the strongest conclusions of the survey was that of the eight areas, only one—Mishawaka—indicated that a neighborhood center "was not needed."

This need for neighborhood centers is in the stage of being answered by ACTION.

The board Wednesday approved an amended proposal for five neighborhood centers. The proposal, seeking $196,586 in Federal Office of Economic Opportunity funds will be forwarded to the regional OEO at Chicago for review.

EXPLAINS PROPOSAL

Dickinson explained that the amended proposal represents a more elaborate pronunciation of the programs envisioned for the neighborhood centers, in compliance with a request from the OEO.

In addition to the federal funds, the program will receive about $28,000 in non-federal contributions.

Nathan Levy, board president, said that perhaps the most significant "in-kind" contribution was that of Sister Christine Marie, C.S.C., treasurer of St. Mary's College.

Arrangements have been made for Sister Christine to take leave of her duties at St.

Mary's so that she can devote "volunteer" time to the St. Joseph County anti-poverty program, according to Levy. He added that she also will teach at St. Joseph's High School.

In indicating the need for neighborhood centers, the respondents in the poverty survey were "strong" in their opinions that facilities directed toward youth should dominate the overall programs.

Other findings indicated by the survey were:

An estimated minimum of 39 per cent of the respondents had a total family income of less than $3,000 a year, while about 22 per cent had an annual income of in excess of $6,000. Neighborhoods in the Mishawaka, Ohio-Keasey Sts. and Washington areas showed a larger percentage under $3,000 than average. Part of the low income percentage in Mishawaka was due primarily to the older-age distribution existing in that area.

"Only 1.2 per cent of the area population unemployed, due to inability to find a job, reflecting general economic prosperity of the St. Joseph County area.

"Of 500 unemployed respondents, 12.6 per cent indicated that they were seeking employment. The remainder, due to retirement, physical disability or housewife status, were not seeking employment.

"Mishawaka, Clay Twp., Ohio-Keasey Sts. and Ardmore are predominately white or Caucasian in racial composition with Mishawaka, Clay Twp. and Ardmore having practically no Negroes whatsoever. South Bend's northeast side, Washington, La Salle Park and Fillmore Rd. have more Negroes than whites. Thus, it can be seen that poverty is not exclusively associated with one race or the other.

"In each of the areas of Mishawaka, South Bend's northeast side, Ohio-Keasey Sts. and Washington, more than 20 percent of the households had a female head of the household.

"Slightly more than one-third of the total respondents had less than eight years of education, and 65 per cent failed to finish high school. In the South Bend northeast side and Ohio-Keasey Sts., 10 per cent or more had at least some college education or more.

"The divorce rate in Mishawaka is highest, but it is overshadowed by the divorce rate in the Washington area which is five percent of the population that is 10 times as large.

"Over 34 per cent of the residents of the target areas live in rental property. Almost 50 per cent are paying $60 a month or less for rent.

"Dirty streets and alleys most often rated as a problem, followed by sub-standard housing. Household pests, street crime and young people causing a disturbance were cited by about 30 per cent of the total respondents.

"Sixty-two per cent were affirmative in their answer to family planning, while 22 per cent said they did not know. In almost all areas, about 75 per cent gave an affirmative or qualified answer indicating support of family planning.

"Almost 89 per cent of the parents were satisfied with the high schools their children were attending and 80 per cent were satisfied with the elementary school. The greatest dissatisfaction with the elementary school was in the South Bend northeast side, the Ohio-Keasey St. and Ardmore areas.

"Approximately two-thirds of the respondents thought that the police force was doing a fine job. This ranged from a high of 96 per cent in Mishawaka, to a low of 61 per cent in the Washington area. The greatest dissatisfaction with the police force was indicated in the Clay Twp. area. Only seven per cent of the total respondents indicated that they had been mistreated by police. The main reasons were unfair traffic tickets, unnecessarily being 'roughed up' or not being treated courteously."

The respondents listed nine areas which they thought would serve the needs of the people.

They included, in descending order: (1) improvement of city service (streets, lighting and garbage and trash collection); (2) better medical and dental care; (3) money or financial assistance; (4) improved housing; (5) better and more recreational facilities; (6) improve family and community life; (7) more and better job opportunities; (8) increased educational opportunities, and (9) more and better opportunities for Negroes.

BISCAYNE NATIONAL MONUMENT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FUQUA] 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 Louisiana?

There was no objection.

Mr. FUQUA. Mr. Speaker, I am most happy to join with my colleagues of Florida and introduce today a bill which will authorize the establishment of a national park in South Biscayne Bay, Fla., and the acquisition of the necessary land and water for that purpose. This reservation will be named the Biscayne National Monument.

This is a most significant area attributed with clear, sparkling waters, marine life, and the submerged lands of Biscayne Bay and the Atlantic Ocean, which all forms a most unique and enormous underwater nursery where reef and pelagic fish hatch and grow before venturing to the ocean. It is an area combining land and water and the terrestrial, marine and amphibious life found on and in them—much of which is rare in the continental United States and needs protection. For example, the area is the only place in this country where coral reef islands are found in the stabilized state which establishes tropical vegetation.

The Honorable George B. Hartzog, Jr., Director of the National Park Service, has acclaimed the area as "an environmental element highly important to Florida and a valuable recreation resource for the Nation." It is felt that the underwater attractions in this area make the Biscayne National Monument proposal outstanding. Furthermore, the area abounds in highly significant water-related outdoor recreation opportunities. Only by bringing these resources into public ownership will they be protected and preserved adequately and permanently for public use and enjoyment. I feel this fact alone is one of the strongest arguments for the park since through neglect and abuse much damage is being done to our natural resources. It is indeed most urgent that we make every effort to preserve what we have left.

At this time, I also want to commend my good friend and able colleague, the Honorable DANTE B. FASCELL, for the excellent and diligent efforts he has extended toward the realization of the Biscayne National Monument. The reservation site is within the congressional district the gentleman from Florida [Mr. FASCELL] represents, and he is working on behalf of the people of that area to assure them of unique recreational facilities along with the contribution to the economic health of the area by the tourists drawn to the park. I am quite sure the residents of the area will find enjoyment and pleasure from the recreation to be offered by such facilities, and will reap financial benefits by the economic gains that are known to be brought along by national recreation parks. The local support being given my colleague in his efforts is illustrative of his work on behalf of the desires of those he is serving.

I want to commend him further for his interest in preserving these unique national resources not only for the citizens of the locale and the citizens of Florida, but for the citizens of our Nation today and years to come. It is a pleasure for me to join with him in support of the Biscayne National Monument and to introduce this legislation authorizing its establishment.

THE 225TH ANNIVERSARY OF MORAVIAN PREPARATORY SCHOOL, BETHLEHEM, PA.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] 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 Louisiana?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, on September 8, 1966, it was my privilege to take part in the convocation marking the start of a year-long observance of the 225th anniversary of Moravian Preparatory School in Bethlehem, Pa. The history of Moravian Preparatory School can be traced to May of 1742, 45 years before the Congress of the United States was convened.

The 225th anniversary year of the founding of Moravian Prep, as we natives fondly refer to this fine institution, significantly coincides with the 225th anniversary year of the founding of the city of Bethlehem, itself.

As I told the convocation audience on September 8, I can think of no finer attribute for any community than to be able to point to the year of its founding and say our education system was founded in that same year.

I might also mention here the thrill I experienced when, during that convocation, the contents of a congratulatory telegram from the President of the United States were read to the assembly of students, faculty, and guests. The faces of the young students were lighted with awe as they heard President Johnson applaud "the 225th milestone that is to mark the productive history of the Moravian Preparatory School."

The main speaker on the occasion of this anniversary convocation was the very distinguished president of Moravian College in Bethlehem, Dr. Raymond S. Haupert. Dr. Haupert is a gentleman

who has tremendous insight into American education and the challenges the future holds to prepare our youth to assume productive roles in guiding the future of this great Nation.

His message on the occasion of the Moravian Preparatory School anniversary convocation was an impressive summary of the direction education is taking and what needs to be done to enlarge educational opportunity. Because I believe his is a subject of vital concern to each of us, Mr. Speaker, I include Dr. Haupert's text in the RECORD:

225TH ANNIVERSARY, MORAVIAN PREPARATORY SCHOOL, BETHLEHEM, PA., FOUNDED 1742, CONVOCATION ADDRESS BY RAYMOND S. HAUPERT, PH. D., D. SC. ED., LL.D., L.H.D., PRESIDENT, MORAVIAN COLLEGE

Students, faculty members, directors and friends of Moravian Preparatory School: My associates at Moravian College join me in offering our congratulations and good wishes on the occasion of your 225th Anniversary. We share with you the hope that this celebration may open new doors of opportunity as you move forward in the third century of your inspiring history.

Several years ago a young man visiting our campus from South Africa commented to the effect that the enthusiasm of the negro children of South Africa for education was almost unbelievable. He knew of cases where children literally ran fourteen miles from their homes to their schools.

I would not suggest that American youth or the young people of any other nation could match this kind of enthusiasm for education. However, the desire for education reflected in the negro youth of South Africa is typical of a world-wide trend. Education in our time is universally a major issue. There has never been as strong, as insistent and as wide-spread a desire for the benefits of education as at the present time.

It has become increasingly clear that higher education for the first time has become a major concern of American civilization.

The largest number of students in the history of the country—more than 6,000,000—are now enrolling in the largest number of colleges—2,207—that America has ever had. To understand what is happening, it is necessary to compare today's college enrollment with 1900 when there were 167,999 students in the United States. For every student going to college in 1900 there are now 36.

In terms of new college buildings and the upgrading of campus facilities generally, there has never been a period of development in the history of American higher education to compare with the present. Some months ago I was talking by long distance with a man in the Far West whom we were considering as a possible consultant for the construction of a new library. He replied that he would like to work with us but that he ought not to accept any additional commitments, since at that time he was consultant for the designing of no less than 50 college libraries.

Higher education has suddenly become a political issue of major importance at the grass roots. Beyond the momentous impact of the federal government upon many phases of higher education, the concern of American citizens concerning the enlargement of opportunity for post high school education is clearly reflected in political activity at the level of the states. One needs only to follow the speeches of the two candidates for governor here in Pennsylvania to realize that higher education is considered by both to be a priority issue in the current campaign.

On July 28th about 500 representatives of Pennsylvania Higher Education gathered in Harrisburg for the formal presentation of the Pennsylvania Master Plan for Higher Education, which will soon go to the legislature for action.

At the present time I am serving a second year as chairman of the Commission for Independent Colleges and Universities, an organization of 54 colleges and universities in Pennsylvania which receive no tax monies for operating purposes. Not long ago our Executive Committee met with Milton Shapp in Philadelphia for a long and deliberate discussion of higher education issues, as they relate particularly to the private colleges of Pennsylvania. Within the near future, this same group will meet with the Republican candidate for governor. For the first time, representatives of these 54 private colleges have been invited by both parties to appear before the platform committees in various parts of the Commonwealth.

Up to this point I have been describing some developments indicating that higher education has become a major national concern, citing enrollments, campus development, and political involvement. Until now no reference has been made to the heart-searching struggle for quality and distinctiveness typical of almost any academic community that is moving in the mainstream of higher education.

I have heard many college alumni say something like this: "Glad I went to college when I did, I would never make it today—either in getting in, or staying in." This is a pleasant and complimentary remark, but with little validity. Overlooked is the fact that, had they been graduating from high school today, they would be better prepared for college on account of the upgrading in elementary and secondary education of the last ten years. A similar upgrading has been taking place in American colleges. Advanced placement, advanced standing, honors programs, have brought about radical changes for good. Special movements within college faculties such as basic curriculum revision now taking place widely offer excellent possibilities for increasing strength.

Everything said up to this time points to three major conclusions.

First: We are moving rapidly toward a goal of providing for every American boy or girl education from kindergarten to age 20, including therefore at least two years of post-high school education. Already the prediction is being made that this high goal will be fulfilled by 1980.

Just as America in another day came to the consensus that every American child should have a grade school education, and later a high school education, so America is now in the process of reaching the consensus that the time has come to enlarge educational opportunity further.

Second: We stand in the midst of a great revolution which is moving in two distinct directions at the same time—toward quality and quantity. Both trends are perfectly clear. Frank Bowles, one of America's higher educational statesmen, calls this the "Dual Purpose Revolution." He describes realistically the democratization which took place in the 1930's with a lamentable loss of quality, and points also to the recovery of quality in the 1950's, along with a continuing emphasis upon numbers.

There was a time when it seemed doubtful that higher education could move in both of these directions at the same time. That doubt has now been dispelled. Quality and numbers alike are now being achieved.

Third: Students and faculty members alike are experiencing today a far better opportunity to meet high goals in higher education than was available in any typical college only a few years ago.

To say that our youth now face unparalleled opportunity for education is not to guarantee that American young people are ready to receive the full benefits of educational opportunity. Education still stands as the product for which Americans are willing to pay good money, or have someone else pay good money, and then do their best to avoid the full benefits. Allowing for the fact that much remains to be done at all levels to improve the whole process of education, much still depends upon the attitudes, the degree of maturity, and the standard of values with which the student faces his educational opportunities.

Several years ago at a meeting of the Higher Educational section of the National Educational Association in Chicago involving representatives of about 500 colleges, a keynote speaker said "we all know that education, and education alone, can save the world." Although this may sound good at first impression, this statement is perfectly meaningless unless one defines what is meant by "education" and by "saving the world." By the same logic it is quite possible to argue with some force that because education has made possible the scientific know-how to build the hydrogen bomb it may, therefore, be said "we all know that education and education alone can destroy the world." The real question is what kind of education can save the world?

Alexander Meiklejohn, one of America's creative thinkers of a generation ago, advanced the idea that education in the English speaking world faced a crisis in the years 1641 and 1642, when John Amos Comenius, Moravian Bishop and "Father of Modern Education," spent almost a year in England. Comenius came to England at the invitation of friends who believed that the English parliament was about to invite Comenius to make a survey of education and, as Meiklejohn suggests, also establish a university. However, for a variety of reasons, this came to nothing, and Comenius left England a disappointed man, proceeding to Sweden where for some time he served the cause of education in this Scandinavian country.

Meiklejohn believes that when England failed to turn to Comenius, it became inevitable that within the near future it would turn to John Locke. Instead, therefore, of an education strongly based upon an active, wholesome faith in God and a concept of the unity of all truth and of all peoples, with complete democratization in education, England turned rather to the concept of educating the elite few, and it is only in recent years that the basic principles of American democracy have begun to come to their fruition in this country.

We are assembled today in a community distinguished in many ways, and honored for unusual attainments in its early days. Bethlehem was the first community in America to form a Collegium Musicum for the study, composition and playing of symphonic music. Bethlehem also was the first community in America to build a municipal water works, and, at the same time, the first in America to send out a Christian missionary to other lands. The unusual combination of devotion to symphonic music, to practical skills for the public good, and to religious zeal strong enough to win people of other lands to Christian faith suggests the kind of qualities which education needs in order to fulfill its high goals.

Moravian education for the future can best meet its unparalleled opportunities by a continuing two-fold emphasis:

First: upon academic integrity, with a never-ending, relentless quest for quality and distinctiveness; and

Secondly: upon the kind of strong and wholesome undergirding religious faith which enables a human being to do what is right, to serve his fellow man, and to walk in quiet friendship with his God—the God who is revealed in Him whose life and teachings have contributed so much to the heritage of the Western World.

TEACHERS' EDUCATIONAL EXPENSES

Mr. BOGGS. 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 Louisiana?

There was no objection.

Mr. SCHMIDHAUSER. Mr. Speaker, yesterday I introduced a bill which would amend the Internal Revenue Code to allow teachers in our schools and colleges to deduct those educational expenses which they incur in increasing their skills as educators from their gross income for tax purposes. Though the IRS has had an official policy of permitting these expenses when necessary, they have in the past been arbitrary in their actual treatment of teachers' returns and the variety of interpretations of the policy has meant that there was much confusion and that individual agents were making educational policy.

In order to reduce this confusion, on July 8 of this year the IRS published a proposed regulation which would have the practical effect of making the educational expenses of teachers nondeductible. It is for this reason that I have introduced a bill identical to that of the gentleman from California, the Honorable CECIL KING, the respected ranking majority member of the House Committee on Ways and Means.

I feel that only in this way can I adequately express my strong support for this important legislation. Today we are facing an educational revolution, in which we must educate record numbers of young people in an increasingly complex technology and civilization. If our youngsters are to receive the education which is their birthright, the one essential is dedicated, competent teachers who are ever alive to new techniques and fresh material in teaching those whom we entrust to their care. How shortsighted, then, of the IRS to draft regulations which actively discourage teachers from obtaining the additional knowledge and skills which are so necessary if we are to maintain our educational excellence.

It is not, as if, Mr. Speaker, teachers were a highly paid or underworked profession. We all know that though salaries have increased in the last few years, they still do not adequately compensate teachers for their time and skills. This makes the action of the IRS doubly unfair, in penalizing teachers and not treating them equitably in comparison with other, more lucrative professions. I think that there is no question that this legislation which I have introduced should be passed immediately, so that the teaching profession may be protected by law and that every encouragement may be given to those who would devote their time to the professional improvement which insures that they will be the kind of teachers whom American children deserve.

HISTORIC PRESERVATION

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] 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 Louisiana?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, I include in the RECORD an article by Alexander S. Cochran that appeared in the May-June 1966, issue of Historic Preservation:

FROM RAILROAD STATION TO ART SCHOOL

(By Alexander S. Cochran, FAIA, of the firm of Cochran, Stephenson & Donkervoet, architects for the Maryland Institute's old-new Mount Royal Station, Baltimore, Md.)

Preservation by reuse seems such a simple concept that one wonders why it is not more often successfully accomplished. The almost inevitable disappointment of the barn-made-into-house is due to usual economic failure when cost is compared with that of new construction. The remodeling of street floors of old commercial buildings usually results in destruction of the esthetic totality of the original building. The critical ingredient which must be preserved by reuse would appear to be its basic architectural purpose. Eero Saarinen said the purpose of architecture was "to shelter and enhance man's life on earth and to fulfill his belief in the nobility of his existence."

The Mount Royal Station was designed for the B & O Railroad in 1894–95 by the Baltimore firm of Balwin and Pennington. In this era Carroll V. L. Meeks observes "Elephantiasis overtook every aspect of railroading including the terminals, now built to dimensions never before approached." Its style was somewhat Richardsonian, but more important was its graceful, composed scale and elegance, in a word, its grandeur. Its tower dominated its part of the city. Its sunken park site related the building gracefully to all approaching users. Above all its high interior concourse gave dignity and importance to all who entered. Meeks observes "a new trend toward comfort began in the late 1920's—and in the Mount Royal Station rocking chairs were provided."

The reusing client of the 1960's, the Maryland Institute, could take every advantage of these great architectural qualities of this building. An independent school of art, founded in 1821, headquartered in a nearby building, was a worthy inheritor of the by-then obsolete station. Too much credit cannot be given to the school administration and trustees who saw the potential and to the railroad management and directors who made the opportunity possible.

The architects and their clients were charged with maximum retention of exterior design and with saving of all possible interior character. This was a fascinating challenge. The exterior was altered only by enclosure of open roofed areas. The interior was high enough to create two ample floors in much of the waiting room with the addition of a grand stair case or axis with a newly opened central space at the porte cochere. Considerable interior architectural decoration was preserved in toto, such as the central columns, all the waiting room ceiling, much of the decorative floor, and most of the exposed iron structure. While the new auditorium and gallery spaces are created by new defining planes, original elements such as wall paneling were preserved where possible. Always the effort was made to preserve scale and elegance.

To generalize about the economic comparison of reuse versus new construction is dangerous. The Mount Royal Station was sold for $250,000, well below its actual value, including nearly four acres of open site. The construction for reuse was accomplished for $600,000. This was possible because of negotiation with the builder, whose constant consultation with the architect during design was invaluable. The original enclosed area of 22,500 square feet was increased to 47,000 square feet at a cost of $18 per square foot. Any current estimate of cost of comparable new construction would surely exceed $25 per square foot. In other words, in this instance the original area was doubled at a cost of around half of what new construction would have been.

All of those involved, the railroad, the school, the architects are well aware of the peculiarity of the opportunity that was theirs. To Eugene W. Leake, president of the Maryland Institute, goes signal recognition. He discerned the potential which with his constant consultation the architects were able to realize. He now knows of no better art school building.

Basic to the new Maryland Institute, the Mount Royal Building was not just preservation *and* reuse of essential architectural distinctions. Said Margaret Meade in the building as work commenced: "This is perhaps the most magnificent example in the Western World of something being made into something else." Her praise is deserved only in as much as the "something else" is one of continued grandeur.

THE HIGH HOLIDAYS, 5727

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. PATTEN] 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 Louisiana?

There was no objection.

Mr. PATTEN. Mr. Speaker, on this the 10th day of the month of Tishri, on the Jewish calendar, the Jewish people of the world pause in reflection. For on this day the destiny of all mankind, as written down on Rosh Hashanah, is sealed by the Heavenly Court and the deeds of every human being are duly weighed and considered. If his good deeds outweigh the bad, the man is declared deserving. If his bad deeds outweigh the good, the man is considered undeserving. Sins, however, are forgiven by our merciful Father after sincere repentance, prayer, and charity. The whole day of Yom Kippur is, therefore, spent at the synagogue, repenting, praying, and donating to charitable institutions.

New Jersey's Jewish population is one of the largest of any State in the country, and is exceeded only by New York in its proportion of Jewish residents. Yom Kippur is, therefore, an occasion of major significance in the State.

The history of Jewish immigration to New Jersey is long, honorable, and noteworthy. Although Jews first settled in the Jersey colony in the 18th century and Benjamin Levy, a prominent Jew, served as a proprietor of West New Jersey, there were not enough Jewish residents on hand to found a temple until

midway in the following century. Sixty Jewish families in Newark founded Congregation B' Nai Jeshurun in 1848, and the next year a congregation by the same name was founded in Paterson.

The Jews of New Jersey are divided, in traditional form, among the Orthodox, Reformed, and Conservative sects, differing not so much upon tenets of faith as upon questions of custom. Both the reformed temples and the orthodox synagogues engage in considerable philanthropic work in New Jersey, much of it nonsectarian.

This is the year 5727 in the Jewish calendar. It is a year that well can be a turning point in the history of civilization, and must, therefore, be a prayerful period in the lives of the democratic peoples of the world.

The prayers of the Jewish community on this Yom Kippur, and those of the Christian community next Sunday will blend in one fine, solitary purpose.

Disturbing as may be the world crisis of the moment, it is nonetheless encouraging to note that the West is returning to the church and to the synagogue for comfort and for guidance.

In this respect the Jewish people stand forth in the vanguard of religious thought, carrying forward the ideals and inspiration of the prophets. In so doing they are deserving of congratulations by men of good will in every land.

These are times when we of the West must think and act as one family, and I rejoice to be identified this moment with the cause of Judaism, whose goals are thoroughly enmeshed in the goals of western society itself.

I hope and pray that the coming year of the Jewish calendar may bring favorable developments in this and other difficulties confronting the Jewish people, and that the blessings of health, happiness, and prosperity may come to the Jews of America and of all the world.

EDUCATION

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] 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 Louisiana?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, as a Member of the 88th and 89th Congresses it has been my privilege and very good fortune to work for and support milestone legislation in the field of education from the very first grade through the graduate level.

Unfortunately, while the Congress and Nation have been moving forward in this field the Internal Revenue seems to be moving in reverse.

I refer to the indications given recently by the IRS that it will change certain tax regulations it has followed with regard to the deductibility of certain educational expenses accrued by teachers in pursuit of academic courses for academic credit and degrees in institutions of higher education and for travel thereto and return.

Until July 7 of this year these expenses were deductible. Now the IRS has drawn new regulations revoking this deduction. The new regulations are scheduled to go into effect January 1967.

More important to our teachers today than ever before is the need to fulfill their need for advanced training. Our store of knowledge is increasing at a pace which defies assimilation today and promises to increase even more rapidly in the future. There are not only new fields of learning today but constantly altering methods of teaching existing subjects.

Therefore I am joining with my colleague, CECIL KING, of the Ways and Means Committee, in sponsoring a bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income, the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education, and including travel.

UNITED NATIONS PEACEKEEPING FORCE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] 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 Louisiana?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, the continually increasing intensity of the war in Vietnam has resulted in a tendency among both proponents and opponents of the war to concentrate all their energy on that problem. Without underestimating the importance of that discussion, we must not, as we have often tended to do, allow our preoccupation with it to interfere with the conduct of an imaginative policy in other areas. One area of policy which has, I fear, suffered quite seriously from lack of attention as the war has escalated, has been the United Nations. If there were any doubts of that fact, U Thant's decision to retire as Secretary General should have dispelled them. He can hardly be blamed for giving up in discouragement when his attempts to encourage peace have either been ignored or undercut.

In addition to our complete failure to use the machinery of the U.N. in seeking peace in Vietnam, our preoccupation with the war has obscured from many the fact that the United Nations is right now grappling with one of the thorniest—and most important—issues in its history: the problem of the organization, control, and financing of future peacekeeping missions. Agreement on some sort of guidelines is absolutely necessary if the ever-present prospect of the United Nations as a mere debating society is to be avoided. Problems with past peace forces have more than once threatened the life not only of the peace force but of the United Nations organization itself.

If any significant results are to come from current efforts by the Committee of 33 to devise guidelines, or from the 21st General Assembly which is now convened, it will have to come with the cooperation of the United States. Active American interest has been demonstrated by the record of past United Nations peace forces, very few of which could have even gotten off the ground if the United States had not been willing to bear a major burden. The United States has borne 45 percent of the extraordinary costs of UNEF—the United Nations Emergency Force in the Mid-East. In the less well-known, but equally important, peace observation missions, American support has been just as important. In the U.N. Peace Observation Mission in Greece in 1947–48, all transportation, communication, and other major logistical support was provided by the United States.

The longrun goal of the efforts of the Committee of 33 and of our own policy must be a permanent U.N. peace force with adequate political controls. It seems probable that only such a force can insure peace in a world of nation-states. But under present conditions such an institution is a long way off, and the simple advocacy of a permanent peace force is unconstructive as well as premature. Secretary General U Thant told the Harvard Alumni Association 3 years ago that "it is perhaps too early, for the reasons I have already given, to consider the establishment of a permanent U.N. force." Not the least of the several reasons he listed is the elemental matter of money: for political as well as economic reasons the U.N. is having great difficulty in financing existing peace forces. To add the extra financial burden of a large number of inactive troops at this juncture would border on the absurd.

Recognition of the difficulty, at this time, in establishing a permanent peace force does not, however, mean that there is nothing which can be done at this point. U Thant, in the speech I have already quoted, went on to say that "there are a number of measures which could be taken even now to improve our present capacity for meeting dangerous situations."

One important step in particular has been proposed which is a positive move in the right direction, but still within the realm of the immediately attainable.

This would be the agreement of member nations to establish standby brigades which would be available for immediate use at any time by the United Nations. This idea was debated and agreed upon by the General Assembly as long ago as 1950, but then forgotten because of the Korean war. It was urged, by the present administration, as recently as January of this year, when Ambassador Arthur Goldberg praised the "very practical advantages" of earmarking troops, but the likelihood of anything being done is threatened this time by the Vietnam war.

Several countries, however, have already taken the initiative by designating

standby brigades, so an American decision to establish such a contingent force would not be a pioneer decision. That distinction goes to Canada and the Scandinavian countries, which have always in the past displayed the most initiative and imagination in supporting United Nations peace operations.

But even though the initiative has already been taken by other countries, a dramatic gesture of American support could very well provide the spark for widespread acceptance of the idea. At least one country, Switzerland, is right now considering earmarking as many as 10,000 troops, and positive American action would encourage the Swiss to complete their plans, and other countries, especially those receiving military aid through our foreign assistance program, to follow suit.

What would be the advantages of such action? The most immediately obvious would be the increased speed with which the United Nations could react to an emergency situation. It will not, of course, eliminate the need for the United Nations to make the politically difficult decision to intervene, but it will substantially lessen the technical problems which have invariably followed such a decision. Once that decision has been made, troops could be in transit in a few hours. The absurd situation that occurred in Cyprus would not be repeated. Adlai Stevenson described that situation in a speech at Princeton 2½ years ago:

> There were no troops immediately available, and the Secretary General could not marshall the United Nations force with the speed so urgently required. Then there was no assurance of adequate funds to pay for the operation. . . . It took over two weeks (instead of two days or two hours) to get the peace keeping operation going, and then only because armed intervention appeared imminent.

The Secretary General would know, even before the final decision to intervene had been made, just where he could go to get troops, transport, and noncombatant support.

A second advantage, which in the long run might be even more significant, is the fact that if nations agree beforehand to establish standby contingents, they are much more likely to feel the need to get together and work out necessary rules for governing them when they are used in a U.N. force. An indication of this is the extent to which the Scandinavian countries have gone in working out plans which make it possible for the U.N. to draw on the 4,000-man Scandinavian "fire brigade" as an entire unit, or to take any one of the national contingents alone. I have appended an outline of the Norwegian part of the brigade at the end of this statement.

Furthermore, many of the problems seem quite strange and only become apparent once the decision to establish a standby force has been made. For instance, one of the problems that has been encountered in the past is the effect on morale of vastly different pay scales. This would be quite relevant for the United States, with its high standard of living, and some arrangements such as those used by the Peace Corps, of providing volunteers with subsistence pay and putting the rest in an inaccessible bank in the United States, would probably have to be devised.

Other problems which have arisen include such simple technical problems as lack of uniformity in supplies and parts, or the supplying of soldiers with weapons they have never been trained to use.

It is unfortunate that it is probably necessary, at least in the near future, to limit any American commitment to technical and noncombatant personnel. There is an unpleasant ring in declaiming the virtues of standby brigades and then expecting all the men who may have to fight to come from the smaller nations while we in the United States provide materiel, which may cost money, but no combat troops to share the risks of peacekeeping. For this reason my original feeling was that the resolution should offer infantry or police as the Scandinavian and other countries have done. I still feel that this should be our goal, and I hope that the Departments of State and Defense and the Arms Control and Disarmament Agency will study means by which such a contribution could be made politically acceptable.

In the meantime we must face the unpleasant fact that power has its liabilities, as well as its advantages, liabilities which have not been decreased by our actions in Vietnam and the Dominican Republic. Most members of the U.N. at this point would not want American infantry in a U.N. peace force any more than they would want Russian infantry. Some exception to this may occur in the future, as they have in the past. During the second Palestine truce, from 1949 to 1956, nearly one third of the 682 military personnel of the UNTSO—United Nations Truce Supervision Operation—were from the U.S. Armed Forces. But because we are powerful, our intentions in general are suspect, almost by definition. And in many countries in which U.N. intervention may occur, the additional factor that we are identified as a white country is a liability. This was true in the Congo were even Canadian troops were not used, for just that reason.

We all know, however, that a modern army requires far more than gun-toting foot soldiers. It requires a whole range of noncombatant facilities, ranging from cooks and quartermasters to communications and medical corps, and these facilities have not always been adequate: the Congo operation found itself short of medics after a couple of weeks. Furthermore, a U.N. force, to be effective, must be easily mobile—requiring ships, planes, and helicopters. Because of our advanced technology this is the type of contribution which we can often most usefully make. In past operations we have often been the only country which could provide much of the necessary transport facilities. But most significant is the simple fact that a team of doctors or nurses, or a communications team, or even an engineer battalion building bridges—men who are not carrying guns—are not so likely to arouse hostility and suspicion as infantry men carrying, and perhaps using, guns.

The second provision of my resolution, and the one which makes it significantly different from those previously introduced in the House, is the specification that this will be a volunteer brigade. Let me explain this provision more fully.

The brigade would be established, probably within the Army, and it would be integrated in the entire Army to a limited extent for some parts of the training, and perhaps some other functions. At the same time, however, an American boy could volunteer for this U.N. brigade in the same way that he can now volunteer for the Coast Guard or the Air Force, or any other branch service. This service would, naturally, fulfill his military obligation.

Such a volunteer system would have several very significant advantages. In the first place, it would insure that no American who had ideological compunctions about serving for the United Nations—and I suspect there are some people in this country who still feel that the U.N. is a Communist conspiracy—no such person would be forced to serve against his will.

What is really exciting about this idea is the other side of the coin. If there are still a few diehard isolationists, lost in the 19th century, there are many more fervently committed to the responsibility of the United States to promote peace by accepting its international obligations in an imaginative and dedicated way. Nowhere is this sentiment stronger than among the youth of the Nation. If there were any doubts about this fact, the success of the Peace Corps should have completely eliminated them. The Peace Corps has been a success precisely because it has attracted the best of our American youth—the mixture of his idealistic commitment to the betterment of the human race and his pragmatic willingness to roll up his shirtsleeves and deal with new and unexpected circumstances as they arise—and because it has shown this same face of America to the underdeveloped world.

A U.N. brigade in the U.S. Army would appeal in a similar manner. It would attract young men who felt that it offered an opportunity to make a positive contribution to strengthening the U.N. in its fight for world peace. Such volunteers would, in turn, put America's best foot forward, and it might well pave the way toward making a contribution of American infantry politically palatable to the rest of the world. This has been the case with the Peace Corps, which has become the most welcome project of the U.S. Government, even in countries which were originally very suspicious of its motives.

Finally, I think the United States should actively encourage other countries to follow its lead. If every country in the U.N. designated 1,000 troops as a standby U.N. contingent, the U.N. would have a "reserve" army of over 100,000 men. As I mentioned before, the most immediate effect of American action might be among those countries which have already considered similar action, but have not made a final decision. We could encourage the other great powers to make similar offers of noncombatants.

And perhaps most significantly, our military aid missions in underdeveloped countries, and perhaps part of the aid itself, could be used to encourage at least some of those nations to earmark troops. Obviously some of those countries which have armies of only a few thousand men could not do this to any significant extent, but others such as Ethiopia, with its 25,000-man army, could make an important contribution.

In the midst of discussions of a wider war in Vietnam, and the possibility of the involvement of other nations including Red China, it is important to shift our thoughts, at least momentarily, to the subject of peace.

The United Nations was formed after World War II in the hopes that it would provide a forum in which all the nations of the world could meet and work together to promote peace. While it has not met all the expectations of its founders, it has, on numerous occasions, made significant contributions to the maintenance of peace. But the fact is that it has risked its future on many of these occasions, and on others it has been too weak to make any contribution. While the present weakness of the U.N. cannot be changed overnight, I am confident that if the United States and other great powers demonstrate real faith in the future of the organization it can gradually be built into a really significant force for peace. One of the ways in which we in the United States can show that faith is by actively supporting the improvement of the United Nations peacekeeping capabilities.

I believe that my resolution provides the strongest and most meaningful way of giving that support that Congress and individual American citizens can make.

[The Norwegian delegation]

NORWEGIAN PEACEKEEPING FORCE

The Secretary General of the United Nations approached in June 1959 some of the member nations with past experience in UN peace-keeping operations, inquiring whether these nations would consider earmarking military forces for possible use in future UN operations.

As a result of this approach the Scandinavian countries in 1961 initiated mutual consultations with a view to establish a Scandinavian peace-keeping force.

As of 1964 the Parliaments in Denmark, Finland, Norway and Sweden have approved the creation of such a force of approximately 5,000 men.

The Norwegian component as authorized by the Norwegian Parliament on June 8th, 1964 will consist of 1,300 men and will be organized as follows:

Army element:

a) 1 infantry battalion of 795, all ranks capable of performing peace-keeping operations, inspection and control.

The battalion is self-sustained and each company so organized that they can operate independently. However, the battalion can also be integrated with forces from other nations.

b) 1 hygienic unit capable of hygienic and food control.

c) In addition the army element will consist of the following units which can be integrated with other Scandinavian countries: 1 military police platoon, 1 movement control platoon, 1 workshop company, 1 surgical emergency unit.

Apart from normal functions this last unit will also be capable of assisting civilians in case of serious catastrophes at home or abroad.

Navy element: 1 frigate, 1 harbour command.

In addition to normal functions this frigate may also be utilized for transport of equipment and personnel to theatre of operations or areas of civilian catastrophe.

Air-force element: 1 air transport HQ, 1 helicopter unit, 1 air transport unit.

The helicopter unit will consist of 4–6 helicopters and the air transport unit of 4 transport aircraft. The air-force elements can be integrated with air units from other Scandinavian countries. These air-force units may also assist in civilian catastrophes.

The other ranks in the army and air-force elements of the Norwegian peace-keeping force will be recruited on a voluntary basis, preferably with personnel having previous peace-keeping experience.

The contingent will not be in active service between UN commitments. The force will, however, be so organized that it can be convened instantaneously and be made available for UN within a few days.

The contract period will be from 1–3 years for 6 months' service with the UN.

A Bill has been submitted to the Norwegian Parliament protecting personnel signing such contracts against dismissal from their civilian employment during the contract period.

In addition to basic elementary military training the contingent will also be given special training in maintenance of law and order, riot control, liaison, and relief actions.

The units will also be given special training courses about the UN and the UN concept.

All expenses with regard to call up, trainang and other preparations for this force will be covered within the current Defense Budget by the Norwegian Government until the day of departure for UN peace-keeping operations.

The Norwegian stand-by units will have completed their training and be available for the UN by the middle of 1965, except for the air-transport aircraft unit which will be established at a later date.

JEWISH HOLY DAYS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. SCHISLER] 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 Louisiana?

There was no objection.

Mr. SCHISLER. Mr. Speaker, Jews the world over are observing their high holy days. These solemn days start with the observance of the beginning of the New Year—Rosh Hashanah—and conclude with the day of atonement—Yom Kippur.

I take this time to extend to all our colleagues of the Jewish faith and to all their coreligionists everywhere, my best wishes for the New Year. To repeat their traditional prayer, "May the Lord inscribe them in the Book of Life for good and for Shalom—peace."

THE PLIGHT OF THE RUSSIAN JEWRY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROONEY] 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 Louisiana?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, the history of the Jewish people in Soviet Russia is a long and tragic one. It is a well-substantiated fact that Russia holds in virtual subjugation some 3 million Jews and that, contrary to her own constitution, Russia continues her persecution of these people in an effort to destroy their cultural and religious being. Many of us here in the past have joined in efforts to persuade the Soviets to ease their pogrom against the Jews. Now, once again, the Jewish community of Brooklyn, smarting under the knowledge that opinion and decency mean little to the Soviets, is holding a mass demonstration to remind the world of what is going on in Soviet Russia. Mr. Speaker, following my remarks is a declaration issued by the Brooklyn Jewish Community Council which expresses far better than I can the plight of the Jews in Russia.

DECLARATION

Our brethren, a goodly number of the House of Israel, have been handed over to distress and captivity in the lands of Soviet Russia. Their religious expression which binds them with their God and with their people is suppressed, their language which unites them with the rest of the House of Israel is denied unto them. The light of Jewish learning has grown dim and is now entirely extinguished. Can Israel live without its soul?

We, the Jews of Brooklyn, the largest settlement of our people in the world, dare not stand idly by as the spirit of our people is so cruelly and methodically destroyed. There is something you can do about it. You can by your presence show your deep concern for our harassed brethren in Russia. It is the duty of every Jew—man, woman and child, to participate.

We therefore ask every Jew to assemble at a mass demonstration on the steps of the Brooklyn Borough Hall, October 2nd, 1966, at 11:00 A.M., the second day of Chal Hamoed Succoth, to demonstrate our solidarity with our fellow Jews, and to demand that the civilized nations make their voice heard in this matter.

May it be the will of our Father in Heaven to have mercy on this remnant of our people and to ward off destruction and pestilence from them and from the entire House of Israel.

A GEORGE WASHINGTON GRADUATE SCHOOL FOR ADVANCED STUDIES IN AMERICAN GOVERNMENT IS NEEDED

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. BENNETT. Mr. Speaker, Monday, I plan to introduce a bill to provide for a Federal school in the District of Columbia to be known as the George Washington Graduate School for Advanced Studies. It would be a graduate school

for advanced studies in American Government and would be for carefully selected individuals of outstanding ability to pursue advanced studies in American Government in preparation for public service with the Government of the United States. It would operate under arrangements with George Washington University and be a fitting recognition of the fact that our first President left in his will, to the Treasury of the United States, funds for an educational institution in the seat of our Government. The bill will read:

H.R. —

A bill to provide for the establishment of the George Washington Graduate School for Advanced Studies in American Government for selected individuals of outstanding ability to pursue advanced studies in American political theory, methods, and institutions in preparation for public service with the Government of the United States, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to establish, as a memorial to George Washington, the first President of the United States, a graduate school for advanced studies in American Government (1) emphasizing the study of the philosophy and purposes of American political theory, methods, and institutions, (2) observing rigid academic standards with respect to the admission of students and the conferring of degrees, (3) limiting the numbers of the faculty and student body in such a manner as to assure the maintenance of high academic standards, and (4) preparing young men and women, selected on the basis of demonstrated scholastic achievement, qualities of leaderships, and motivation for public service, for distinguished careers in public service with the Government of the United States.

SEC. 2. There is hereby established within the George Washington University, an independent, nonsectarian university located in the District of Columbia and operating under a charter granted by an Act of Congress of February 9, 1821 (Statutes at Large, volume 6, pages 255–258, Sixteenth Congress, second session, chapter 10) a graduate school for advanced studies in American Government to be known as the "George Washington Graduate School for Advanced Studies" (hereafter in this Act referred to as the "school").

SEC. 3. (a) There is hereby established a commission to be known as the Commission on the George Washington Graduate School for Advanced Studies (hereafter in this Act referred to as the "Commission"), for the purpose of considering and formulating plans for the design and construction of the school.

(b) The Commission shall be composed of sixteen members appointed as follows:

(1) eight members appointed by the President of the United States, four from the executive branch of the Government and four from private life;

(2) four Members of the Senate, appointed by the President of the Senate; and

(3) four Members of the House of Representatives, appointed by the Speaker of the House of Representatives.

The four members of the Commission appointed from private life shall be selected from among distinguished educators in the United States.

(c) The Commission shall, in such manner as it may deem appropriate, solicit the submission of plans for the design and construction of the school, and, in the selection of suitable plans, the Commission shall take into consideration the functional needs of the school, together with its purpose as a memorial to George Washington.

(d) In carrying out its duties under this section, the Commission on the George Washington Graduate School for Advanced Studies shall request the advice and recommendation of the Commission of Fine Arts and the National Capital Planning Commission. The Commission of Fine Arts and the National Capital Planning Commission shall render such advice and recommendations at the request of the Commission on the George Washington Graduate School for Advanced Studies.

(e) The members of the Commission who are Members of Congress, and the members appointed from the executive branch of the Government, shall serve without compensation, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission. The members of the Commission who are appointed from private life shall each receive $50 per diem when engaged in the actual performance of their duties as members of the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

(f) As soon as practicable after the date of enactment of this Act the Commission shall submit to the Congress for approval the plans selected by the Commission for the design and construction of the school. The approval of the Congress shall be by concurrent resolution stating in effect that it approves the action of the Commission in the selection of such plans. Effective as of the date of the adoption of such concurrent resolution the Commission shall cease to exist.

SEC. 4. The supervision and operation of the Institute shall be vested in the board of trustees of the George Washington University (hereafter in this Act referred to as the board).

SEC. 5. The board shall appoint a Chancellor of the George Washington Graduate School for Advanced Studies (hereinafter in this Act referred to as the Chancellor of the School) to serve for a term of ten years. The Chancellor of the School shall be responsible, under the direction and supervision of the board, for the administration of the School, and shall have such duties and powers as may be delegated to him by the board. The Chancellor of the School shall be compensated for his services, which shall be on a full-time basis, at a sum not to exceed $25,000 per annum, plus annuities and other benefits as granted to other faculty members of the university.

SEC. 6. (a) The board shall provide for the construction of the School in accordance with the plans for its design and construction approved by the Congress under section 3(f) of this Act.

(b) In carrying out the purpose set forth in the first section of this Act, the board shall—

(1) institute and maintain appropriate courses of advanced studies in American political theory, methods, and institutions;

(2) fix requirements for admission and establish required standards of academic proficiency to be maintained by students admitted to the School.

(3) fix the number of students to be admitted to the School; and

(4) prescribe such regulations as may be necessary to carry out the provisions of this Act.

(c) The Board may appoint and fix the compensation of such professors, associate professors, assistant professors, and instructors as may be necessary to carry out the provisions of subsection (b) of this section. Such compensation shall be the same as that paid for comparable services in others parts of the university.

The Board is also authorized to provide appropriate instruction through visiting lecturers, and to establish, in cooperation with other Federal agencies, such intern-trainee programs as it may deem appropriate. The Board may appoint and fix the compensation of such other persons as may be necessary to carry out the provisions of this Act.

(d) The Board, in accordance with such regulations as it shall prescribe, may grant appropriate degrees to persons completing a course of study at the School.

SEC. 7. (a) The Board shall select the students to be admitted on fellowships to the school from among citizens of the United States who have received a baccalaureate degree and are found by the Board to be qualified to pursue a course of advanced study offered at the school. Upon application the Board may approve for admission selected foreign students, not to exceed 5 per centum of the student body. Admission of students shall be in accordance with the purposes of this Act and shall be subject to standards of admission established for students at comparable levels in other parts of the university.

(b) Each student, other than a foreign student, admitted to the school shall sign an agreement, that, unless sooner separated, he will complete his course of study at the school and will accept an appointment and serve with the Government of the United States in a position commensurate with his education and training, as determined by the United States Civil Service Commission, during the four-year period beginning on the date of the completion of his course of study at the school. Nothing in this subsection shall be construed to require the United States to offer a position to any individual who completes his course of study at the school.

(c) In any case in which an individual shall fail to complete his course of study at the school or shall refuse to accept an appointment and serve with the Government of the United States, in accordance with the agreement referred to in subsection (b) of this section, such individual shall be required to pay to the United States the amounts paid by the United States under this Act with respect to the education and training of such individual at the school. The Board shall prescribe the terms of any payment to the United States under this subsection, but the Board may waive the foregoing provisions of this subsection in any case in which the Board deems such waiver to be appropriate under the circumstances.

SEC. 8. Attendance at the school shall be without charge and the United States shall furnish to each student at the school such books, supplies, and equipment as may be necessary to his course of study and shall pay to each student at the school a monetary allowance to cover the costs of board, lodgings, other living expenses, and necessary travel, for such student and his dependents, as may be required for the successful pursuit and completion of his course of study at the school.

SEC. 9. (a) The Board shall award annually four-year scholarships to be known as "George Washington Scholarships", for the purpose of encouraging the pursuit of courses of study in American political theory, methods, and institutions at the George Washington University or other accredited nonprofit institutions of higher education located within the United States and selected by the recipient of a George Washington Scholarship. The award of George Washington Scholarships shall be distributed annually among recipients as follows:

(1) one from each of the several States of the United States,

(2) one from the District of Columbia,

(3) one from the Commonwealth of Puerto Rico, and

(4) one from possessions of the United States.

(b) The Board shall select the recipients of George Washington Scholarships from

among citizens of the United States who complete their high school education in the year in which they are selected as recipients of such scholarships. Such selections shall be made solely on the basis of ability, as determined by the Board in such manner as it may deem appropriate.

(c) Such scholarships shall be awarded only to those recipients who agree to emphasize the study of American Government in a course of study leading toward a baccalaureate degree approved by the Board, and shall be reapproved annually in the discretion of the Board, upon receiving assurances satisfactory to it that the recipient is successfully pursuing his course of study at the institution selected by him and is, in the opinion of the Board, maintaining a satisfactory academic standing at such institution.

(d) With respect to each recipient of a George Washington Scholarship, the Board shall provide for the payment of the customary cost of tuition, and such laboratory, library, health, infirmary, and other similar fees as are customarily charged, and shall pay for books, supplies, equipment, and other necessary expenses, including board, lodging, other living expenses, as are generally required for the successful pursuit and completion of the course by other students in the institution. Such payments may be made in such manner as the Board may deem appropriate.

(e) Each recipient of a George Washington Scholarship shall agree to complete his selected course of study and accept an appointment and serve with the Government of the United States in a position determined by the United States Civil Service Commission to be commensurate with his education and training for a period of time, beginning on the date of his completion of such course of study, equal to that during which he held a George Washington Scholarship. In any case in which such a recipient shall fail to complete such course of study, or shall refuse to accept such appointment and serve with the Government of the United States for such period of time, he shall be required to pay to the United States the amounts paid by the United States under this Act with respect to such recipient. The Board shall prescribe the terms of any payment to the United States under this subsection, but the Board may waive the provisions of the preceding sentence of this subsection in any case in which the Board deems such waiver to be appropriate under the circumstances.

SEC. 10. An advisory committee is established to advise the board in the performance of the duties prescribed by section 6 of this Act. It shall consist of five members to be appointed by the President of the United States, by and with the advice and consent of the Senate. The first members appointed shall continue in office for terms (beginning on a date specified by the President) of one, two, three, four, and five years, respectively, the term of each to be designated by the President at the time of the appointment. Their successor shall be appointed for terms of five years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. Upon the expiration of his term of office a member shall continue to serve until his successor shall have been appointed and shall have qualified. The board shall choose a chairman from among its membership. A vacancy on the board shall not impair the right of the remaining trustees to exercise all the powers of the board. The trustee shall be compensated at the rate of $50 for each day spent in attendance at meetings of the board, and shall be paid actual traveling and subsistence expenses incident to attending such meetings.

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

THE LIFE OF AN ARCHBISHOP

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 60 minutes.

Mr. FEIGHAN. Mr. Speaker, Archbishop Edward F. Hoban, of Cleveland, Ohio, passed on to his eternal reward last evening. His death has saddened the hearts of all who knew him and the many who benefited from his endless good works. He was a great spiritual and civic leader whose constant concerns for the welfare and happiness of the human family embraced everyone in the Greater Cleveland community.

Consecrated coadjutor bishop of Cleveland on January 21, 1943, Archbishop Hoban served the people of Cleveland for over 23 years as the spiritual head of nearly 900,000 Catholic communicants. His spiritual leadership and his unbounded concern for the greater good of all will be sorely missed.

During Archbishop Hoban's tenure the diocese of Cleveland enjoyed an unprecedented growth. Some 60 new parishes were established, many new high schools and other institutions were built and diocesan facilities expanded. On the occasion of his golden jubilee of ordination in 1953, President Dwight D. Eisenhower sent him a warm letter of congratulations, a copy of which I include at this point in my remarks:

THE WHITE HOUSE,
Washington, D.C., July 1, 1953.

The Most Reverend
EDWARD F. HOBAN, S.T.D.,
Bishop of Cleveland, Cleveland, Ohio.

DEAR ARCHBISHOP HOBAN: I am very happy to send my warm congratulations on the occasion of the Golden Jubilee of your ordination as a priest. I have learned of your outstanding service as a spiritual leader and as an active participant in civic affairs.

My very best wishes go to you for many years of continued service to God and to mankind.

Sincerely,

DWIGHT D. EISENHOWER.

On the occasion of Archbishop Hobans 88th birthday, last June 27, a group of distinguished public officials, business and civic leaders of Ohio called upon him to express happy birthday greetings. A highlight of that affair was the reading of a touching letter of congratulations from President Lyndon B. Johnson. A copy of President Johnson's letter is included at this point in my remarks:

THE WHITE HOUSE,
Washington, June 21, 1966.

The Most Reverend EDWARD F. HOBAN,
Cleveland, Ohio.

DEAR ARCHBISHOP HOBAN: I was very pleased to learn that June 27 will mark your eighty-eighth birthday.

It is with sincere admiration for your life's work that I join those gathered in observance of this occasion in expressing warm congratulations and good wishes.

I hope that the many good works that are reflected in your long years of religious and community service will be for you an abiding source of happiness and satisfaction.

May God bless you on this special day and always.

Sincerely,

LYNDON B. JOHNSON.

Much has been written about the life and accomplishments of Archbishop Hoban over the past years. The Catholic Universe Bulletin of Cleveland published a souvenir edition in 1953, as part of the golden jubilee celebration of the archbishop's ordination. That edition carried a feature story title "The Story of an Archbishop" which I include as part of my remarks:

THE STORY OF AN ARCHBISHOP

The date was June 27, 1878.

Bishop Richard Gilmour had been in charge of the Diocese of Cleveland for six years. He had committed himself to the training of American youth for the priesthood. His policy was paying off. He recalled on that day that his ordination classes had numbered more and more seminarians born and bred in America. The trend was so great that when he closed his administration he had ordained 122 young men to the priesthood of whom 57 had been born and trained in the United States. He finished his day with a fervent prayer that soon American priests would man the American Church.

The day he said this prayer William and Bridget O'Malley Hoban of Chicago were rejoicing in the birth of their son, Edward Francis, one of their eight children. The prayerful Bishop Gilmour did not know that an American boy born that day was to be his successor in the See of Cleveland. Nor did William Hoban envisage this future, although being a shoemaker, he might logically have hoped for it. The hierarchy of America is made up mostly of workingmen's sons.

The new arrival was soon carried to the parish church of St. Columkille where the regenerating waters of baptism were poured upon his head. In the same church the growing boy made his first confession, received his first Holy Communion, and was confirmed. He attended St. Columkille parochial school and St. Ignatius High School and College in his native city.

Archbishop Patrick Augustine Feehan of Chicago directed him to St. Mary Seminary, Baltimore, for his studies in philosophy and theology. At their completion, the See of Chicago had just been filled by the installation of the Most Rev. James Edward Quigley as second archbishop on June 12, 1903. The new Metropolitan called the ordination class for July orders. Auxiliary Bishop Peter James Muldoon conferred the subdiaconate and diaconate on the candidates and on July 11 Archbishop Quigley raised them to the sacred priesthood. In the class was Edward Francis Hoban.

At almost the same time, the diocese in northern Ohio on the shores of Lake Erie was replenishing the ranks of its priesthood. On June 6, 1903, the third bishop of Cleveland, Ignatius Frederick Horstmann, had ordained 10 priests for work in his portion of the Lord's vineyard.

The new archbishop of Chicago decided to send one of the young priests of his jurisdiction to Rome for postgraduate studies. Glancing over their scholastic records, he found one invariably leading his class from high school through college and seminary days. And so it was that he dispatched the young Father Hoban, who had been named assistant pastor of St. Agnes Parish, to the Gregorian University. At this famous school he obtained doctorates in philosophy and sacred theology while imbibing the Roman spirit and developing that devotion to the Roman Pontiff that has characterized his career.

During his stay in the Eternal City, he saw the Church at work. He became acquainted with the workers from every quarter of the globe who were gathered in that cosmopolitan center. Among these was the distinguished spiritual director of the North American College, Monsignor John Patrick Farrelly, who was to be named fourth Bishop of Cleveland in 1909.

Having successfully completed his Roman studies, Doctor Hoban returned to Chicago and assignment to the staff of Quigley Preparatory Seminary. In 1906 he was named assistant to the Chicago chancellor, the Rev. Edmund M. Dunne, S.T.D. When the latter became Bishop of Peoria in 1909, Doctor Hoban succeeded him as chancellor. He retained this important post under Archbishop George William Mundelein who succeeded Archbishop Quigley as Ordinary of Chicago in 1915.

One of his most interesting Chancery duties was the assistance he afforded a little Italian religious who was establishing her Missionary Sisters of the Sacred Heart in Chicago and building the immense Columbus Hospital. In this he was collaborating with a saint. The small but prodigiously hard-working nun was Mother Frances Xavier Cabrini who died in Chicago in 1917 and has since been raised to the honors of the altar, the first American citizen to be canonized. When Archbishop Hoban reads his breviary for Dec. 22, he pores over the life of the humble religious who so often called at his office for advice and encouragement.

During his chancellorship, Chicago entered upon that period of vibrant expansion that has made Church history in America. Sharing in this was the busy chancellor whom the late great Cardinal Mundelein called his "right hand." In 1916 he had been named a papal chamberlain. Five years later came his appointment to the titular See of Colonia in Armenia and auxiliary to the archbishop of Chicago.

The ancient rites of consecration were carried out in a magnificent ceremony in Holy Name Cathedral. Archbishop Mundelein imposed hands on the new successor of the Apostles, assisted by Bishop Alexander McGavick of LaCrosse and Bishop Thomas Molloy of Brooklyn. Bishop Dunne of Peoria, who had been his pastor at St. Columbkille's and whose Mass he had served as an altar boy in that church, preached the sermon.

Among the many distinguished churchmen in attendance was Bishop Joseph Schrembs, fifth Bishop of Cleveland, little aware that he was witnessing the imposition of hands on his immediate successor in his northern Ohio See.

Concurrently, Bishop Hoban served as spiritual director of the Chicago Archdiocesan Union of the Holy Name Societies and after 1924 as vicar general of the archdiocese. In 1926 he assumed the duties of honorary president of the twenty-eighth International Eucharistic Congress. He initiated his work in this remarkably successful demonstration of American faith in the Blessed Eucharist by a journey to Rome to obtain the Holy Father's appointment of a papal legate to the Congress.

Pope Pius XI granted the bishop's request and made the happy choice of Giovanni Cardinal Bonzano as his personal representative. The splendid ceremonies in Chicago and in the nearby Mundelein seminary centered the attention of the Catholic world on the great Midwest metropolis.

The neighboring See of Rockford became vacant through the death of Bishop Peter James Muldoon Oct. 8, 1927. On the following Feb. 10, Pope Pius XI transferred Bishop Hoban to Rockford. He was installed in St. James pro-Cathedral by Archbishop Mundelein May 15. The impressive ceremonies were witnessed by 28 archbishops and bishops and a host of clergy and laity.

The busy Chicago days were transferred to Rockford, the only change being in the locale. New schools, high and elementary, churches, and charitable institutions sprang up under Bishop Hoban's energetic direction. New parishes were established and new religious communities of men and women were invited into the diocese. He erected a chancery office and episcopal residence. His reputation as builder and patron of education was well established before Rome summoned him to larger responsibilities in the sixth largest city in the United States.

In his Rockford days he welcomed Pope Pius XII to the United States when he visited our country as Papal Secretary of State Eugenio Cardinal Pacelli in 1936. The year previous his interest in and support of the Catholic press bore fruit in the foundation of The Rockford Observer.

Bishop Hoban's administration of Rockford so won the admiration of the Holy See that Pope Pius XI nominated him to the high honor of Bishop Assistant at the Pontifical Throne Nov. 25, 1937.

It was on Nov. 14, 1942, that Pope Pius XII named Bishop Hoban Titular Bishop of Lystra and Coadjutor with the right of succession to Archbishop Joseph Schrembs of Cleveland. Public announcement of the appointment was made 3 days later. A deluge of congratulatory messages assured the bishop of a warm welcome in his new home.

After a quiet courtesy call on Archbishop Schrembs in his hospital rooms, arrangements were made for the installation of the coadjutor bishop in St. John Cathedral on the feast of St. Agnes, Jan. 21, 1943. On that day Archbishop John T. McNicolas of Cincinnati led the new bishop to the episcopal throne of Cleveland. Archbishop Schrembs had prepared a warm speech of welcome but illness prevented its personal delivery. Auxiliary Bishop James A. McFadden read it for the ailing prelate.

The installation was witnessed by a large concourse of clergy and laity, including many members of the hierarchy, the governor of Ohio, the mayor and other city officials. It was the first in a number of gala days of which the bishop was to be the center in the following decade that was to round out his golden years in the priesthood of Christ.

Bishop Hoban won the hearts of all in his simple and sincere announcement that he had come to Cleveland to serve the priests and people and serve with them in spreading Christ's kingdom in this portion of God's vineyard. He asked all to be his coadjutors and helpers in this noble enterprise.

Within months after his arrival in Cleveland, the Holy See divided the diocese over which he was to preside, setting up a separate jurisdiction in Youngstown. Bishop Hoban served as apostolic administrator of the new See until July 22, 1943, when Bishop James A. McFadden became first Bishop of Youngstown. At impressive ceremonies in St. Columba Cathedral, presided over by Archbishop John T. McNicolas of Cincinnati, Bishop Hoban paid rich tribute to the new Ordinary who had served with high distinction as Auxiliary Bishop of Cleveland for 10 fruitful years.

When Bishop Hoban came to Cleveland the sands of time were running out for the illustrious Archbishop Schrembs. His closing days in St. John Hospital were robbed of loneliness by the daily visits of his coadjutor who always found time in his progressively busy schedule to spend some minutes with the beloved prelate whom he held in warm affection and esteem. On All Souls Day, Nov. 2, 1945, the angel of death summoned the great Archbishop and the title of Bishop of Cleveland descended upon Edward Francis Hoban.

Six years later, July 13, 1951, Bishop Hoban was given the personal title of archbishop by Pope Pius XII.

In 1946 the Holy See appointed the scholarly diocesan superintendent of schools, Monsignor John Raphael Hagan, as auxiliary bishop to assist Bishop Hoban in his episcopal duties. Bishop Hagan was consecrated in St. Agnes Church May 28, 1946, by the bishop, assisted by Bishop James A. McFadden of Youngstown and Bishop John P. Treacy of LaCrosse. After a very short episcopate, Bishop Hagan died in St. John Hospital, Sept. 28, 1946. The beloved prelate was sincerely mourned by all. He is interred in the St. John Cathedral crypt.

The next year Monsignor Floyd Lawrence Begin, vicar general for religious and diocesan officials, was named titular bishop of Sala and auxiliary bishop of Cleveland. He was consecrated in St. Agnes Church, May 1, 1947, by Bishop Hoban assisted by Bishop McFadden and Auxiliary Bishop Joseph McGucken of Los Angeles.

The amazing growth of the diocese prompted the Holy See to name a second auxiliary for Cleveland during Archbishop Hoban's jubilee year. Monsignor John J. Krol, diocesan chancellor, was chosen for this high honor. He was consecrated in the Cathedral Sept. 2, 1952, by Archbishop Amleto Giovanni Cicognani, Apostolic Delegate to the United States, assisted by Archbishop Hoban and Bishop Begin.

The imposing Cathedral Square buildings are a visible symbol of Archbishop Hoban's accomplishments throughout the eight counties which form the diocese.

He has ordained 181 priests, created 39 new parishes, erected 37 new elementary schools plus new buildings for two others and substantial enlargements for two more; founded seven new high schools with an eighth under construction; provided new buildings for three others plus two new junior high schools.

He has seen rising two new hospitals and additions for three others; a new Merrick Settlement House building; three new homes for the aged; a convalescent hospital; two new social service bureaus, and two CYO summer camps. He brought forth the Catholic Resettlement Council which has helped almost 7,000 displaced persons to begin life anew in the diocese.

He has opened a new minor seminary, and the 150-capacity diocesan retreat house.

Now, at 75, celebrating his Golden Jubilee in the priesthood, Archbishop Hoban rests on no laurels. He is driving, in his quiet but persistent way, for more vocations to the priesthood, the Sisterhood and the Brotherhood, and for the day when every Catholic teen-ager in the diocese will be in a Catholic high school.

CENSORSHIP

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. DENT] is recognized for 30 minutes.

Mr. DENT. Mr. Speaker, one of the vexing problems that has been of great concern to legislative bodies in local, State, and Federal Governments has revolved around the censorship or noncensorship of movies presented for public viewing.

Many types of proposals have been advanced, some accepted—many more rejected.

It has long been held by many citizens that this problem can best be resolved by the industry.

Recently, the Motion Picture Association of America has moved a long way in this direction by adopting a revised code of self-regulation of the motion picture industry in the field of production, advertising, and the titling of motion pictures.

I present the complete text of this new code as well as a very fine editorial from the Washington Post of September 21, 1966.

Mr. Speaker, I would be remiss if I did pay tribute at this time to the new presi-

dent of the Motion Picture Association, Jack Valenti.

Mr. Valenti, who served the President of the United States with great distinction, has taken his valuable experience and talents to the new position and has shown his awareness of the need for change in this area.

I commend Mr. Valenti for his forthright statement of principles and the great step forward to a better understanding of the needs in a modern world of movie making and distribution.

The above-mentioned code and articles follow:

A GREAT HISTORIC LANDMARK

Jack J. Valenti, president of the Motion Picture Association of America, this afternoon (September 20) received the following message from Richard F. Walsh, president of the International Alliance or Theatrical Stage Employees:

"I want to congratulate you on the adoption of the revised Code. This is a step in the right direction and it has been needed.

"It makes clear that the main responsibility rests on parents to choose the films they want their children to see or not to see. This is where the responsibility belongs.

"By combining a concern for freedom of expression with a regard for the proper sensibilities of the public, the Code, I believe, can be a great historic landmark in the relationships between the industry and the public it serves.

"We want to assist you in any way we can to make this system of self-regulation a continuing success."

NEW YORK, September 20.—The Motion Picture Association of America today adopted the industry's new Code of Self-Regulation. This action was unanimously agreed to by the Board of Directors at a meeting at the Association Tuesday, September 20.

Up-dating of the 36-year old set of standards for movie production has been carried out "to keep the Code in closer harmony with the mores, the culture, the moral sense and the expectations of our society," Jack J. Valenti, president of the motion picture trade association, stated.

A highlight of the revision, which has been discussed actively for several years, is its greater emphasis on the importance of how the subjects of movies are treated on the screen, coupled with an "expansion of creative freedom" through the substitution of broader guidelines in place of the old Code's specific prohibitions.

The most significant innovation in the new regulations which the industry imposes on itself is to extend the commitment by the producers and film distributors to make more information about films available to parents, "the arbiters of family conduct, so they can choose which motion pictures their children can see."

The new Code establishes procedures whereby producers, in cooperation with the Code Administrator, will identify certain pictures as "Suggested for mature audiences" in all advertising, displays at theaters, and by other means.

A new "Declaration of Principles" of the Code states, "Thus parents will be alerted and informed so that they may decide for themselves whether a particular picture, because of theme, content or treatment, will be one which their children should or should not see, or may not understand or enjoy.

"Parents have the primary responsibility to guide their children in the kind of lives they lead, the character they build, the books they read, and the movies and other entertainment to which they are exposed," the Code Declaration of Principles states.

It recognizes that "the creators of motion pictures have a responsibility to make information available to parents."

Censorship and classification of films by law are "alien to the American tradition. Much of this nation's strength and purpose is drawn from the premise that the humblest of citizens has the freedom of his own choice," the Code declares. "We believe self-restraint, self-regulation, to be in the tradition of the American purpose. This Code, and its administration, will make clear that freedom of expression does not mean toleration of license."

The new standards for production, to be enforced by the Administrator, are:

"The basic dignity and values of human life shall be respected and upheld. Restraint shall be exercised in portraying the taking of life.

"Evil, sin, crime and wrong-doing shall not be justified.

"Special restraint shall be exercised in portraying criminal or anti-social activities in which minors participate or are involved.

"Detailed and protracted acts of brutality, cruelty, physical violence, torture and abuse, shall not be presented.

"Indecent or undue exposure of the human body shall not be presented.

"Illicit sex relationships shall not be justified. Intimate sex scenes violating common standards of decency shall not be portrayed. Restraint and care shall be exercised in presentations dealing with sex aberrations.

"Obscene speech, gestures or movements shall not be presented. Undue profanity shall not be permitted.

"Religion shall not be demeaned.

"Words or symbols contemptuous of racial, religious or national groups, shall not be used so as to incite hatred.

"Excessive cruelty to animals shall not be portrayed and animals shall not be treated inhumanely.

"The Code of Self-Regulation has been adopted by and will be supported by all members of the Motion Picture Association of America, as well as many independent producers," Mr. Valenti said. He pointed out that "not all motion pictures are submitted for review by the Production Code Administration of the Association. The presence of the Code Seal is the only way the public can know which pictures have come under the Code. However, non-members of the Association are invited to submit films for Code scrutiny and approval."

The Code also includes standards for movie advertising, as has been true in the past. All advertising and publicity for Code-approved pictures must abide by the standards of the Advertising Code.

The principles and standards of the Production Code are supplemented by the following standards for advertising:

"Illustrations and text shall not misrepresent the character of a motion picture. Illustrations shall not depict any indecent or undue exposure of the human body. Advertising demeaning religion, race, or national origin shall not be used."

Standards for titles of motion pictures also are included in the revised Code, as in the past.

The new provision concerning films for mature audiences states that "The Administrator, in approving a picture under the Code, may recommend that advertising for the picture carry the informational line 'Suggested for mature audiences.' If the Administrator so determines, the distributing company shall carry the line in its advertising. The Administrator shall notify the Director of the Code for Advertising of all such pictures."

The new Code establishes a "Motion Picture Code Board" which will hear appeals and also acts as an advisory board on Code matters. The latter function is new, reflecting Mr. Valenti's program for broader cooperation and unity between producers and distributors on the one hand and exhibitors on the other.

The Code Board will consist of the president of the MPAA as Chairman and nine other directors of the Association; six exhibitors nominated by the National Association of Theatre Owners; and four producers nominated by the Screen Producers Guild.

Member companies of the Association which voted to adopt the Code today are: Allied Artists Pictures Corporation; Columbia Pictures Corp.; Metro-Goldwyn-Mayer Inc.; Paramount Pictures Corporation; Twentieth Century-Fox Film Corp.; United Artists Corporation; Universal Pictures, a division of Universal City Studios, Inc.; and Warner Bros. Pictures Distributing Corp.

Copies of the text of the Code may be secured by writing the MPAA, 522 Fifth Avenue, New York, N.Y., 10036.

CODE OF SELF-REGULATION—MOTION PICTURE ASSOCIATION OF AMERICA

The Code of Self-Regulation of the Motion Picture Association of America shall apply to production, to advertising, and to titles of motion pictures.

The Code shall be administered by an Office of Code Administration, headed by an Administrator.

There shall also be a Director of the Code for Advertising, and a Director of the Code for Titles.

Nonmembers are invited to submit pictures to the Code Administrator on the same basis as members of the Association.

DECLARATION OF PRINCIPLES OF THE CODE OF SELF-REGULATION OF THE MOTION PICTURE ASSOCIATION

This revised Code is designed to keep in closer harmony with the mores, the culture, the moral sense and the expectations of our society.

The revised Code can more completely fulfill its objectives, which are:

1. To encourage artistic expression by expanding creative freedom and

2. To assure that the freedom which encourages the artist remains responsible and sensitive to the standards of the larger society.

Censorship is an odious enterprise. We oppose censorship and classification-by-law (or whatever name or guise these restrictions go under) because they are alien to the American tradition of freedom.

Much of this nation's strength and purpose is drawn from the premise that the humblest of citizens has the freedom of his own choice. Censorship destroys this freedom of choice.

It is within this framework that the Motion Picture Association continues to recognize its obligation to the society of which it is an integral part.

In our society the parents are the arbiters of family conduct.

Parents have the primary responsibility to guide their children in the kind of lives they lead, the character they build, the books they read, and the movies and other entertainment to which they are exposed.

The creators of motion pictures undertake a responsibility to make available pertinent information about their pictures which will enable parents to fulfill their function.

An important addition is now being made to the information already provided to the public in order to enable parents better to choose which motion pictures their children should see.

As part of the revised Code, there is a provision that producers in cooperation with the Code Administration, will identify certain pictures as suggested for mature audiences.

Such information will be conveyed by advertising, by displays at the theatre and by other means.

Thus parents will be alerted and informed so that they may decide for themselves whether a particular picture because of theme, content or treatment, will be one which their children should or should not see, or may not understand or enjoy.

We believe self-restraint, self-regulation, to be in the tradition of the American purpose. It is the American society meeting its responsibility to the general welfare. The results of self-discipline are always imperfect because that is the nature of all things mortal. But this Code, and its administration, will make clear that freedom of expression does not mean toleration of license.

The test of self-restraint . . . the rule of reason . . . lies in the treatment of a subject for the screen. The SEAL of the Motion Picture Association on a film means that the picture has met the test of self-regulation.

All members of the Motion Picture Association, as well as many independent producers, cooperate in this self-regulation. Not all motion pictures, however, are submitted to the Production Code Administration of the MPA, and the presence of the Seal is the only way the public can know which pictures have come under the Code.

We believe in and pledge our support to these deep and fundamental values in a democratic society:

Freedom of choice . . .

The right of creative man to achieve artistic excellence . . .

The role of the parent as the arbiter of the family's conduct.

The men and women who make motion pictures under this Code value their social responsibility as they value their creative skills. The Code, and all that is written and implied in it, aims to strengthen both those values.

Standards for production

In furtherance of the objectives of the Code to accord with the mores, the culture, and the moral sense of our society, the principles stated above and the following standards shall govern the Administrator in his consideration of motion pictures submitted for Code approval:

The basic dignity and value of human life shall be respected and upheld. Restraint shall be exercised in portraying the taking of life.

Evil, sin, crime and wrong-doing shall not be justified.

Special restraint shall be exercised in portraying criminal or anti-social activities in which minors participate or are involved.

Detailed and protracted acts of brutality, cruelty, physical violence, torture and abuse, shall not be presented.

Indecent or undue exposure of the human body shall not be presented.

Illicit sex relationships shall not be justified. Intimate sex scenes violating common standards of decency shall not be portrayed. Restraint and care shall be exercised in presentations dealing with sex abberations.

Obscene speech, gestures or movements shall not be presented. Undue profanity shall not be permitted.

Religion shall not be demeaned.

Words or symbols contemptuous of racial, religious or national groups, shall not be used so as to incite bigotry or hatred.

Excessive cruelty to animals shall not be portrayed and animals shall not be treated inhumanely.

Standards for advertising

The principles of the Code cover advertising and publicity as well as production. There are times when their specific application to advertising may be different. A motion picture is viewed as a whole and may be judged that way. It is the nature of advertising, however, that it must select and emphasize only isolated portions and aspects of a film. It thus follows that what may be appropriate in a motion picture may not be equally appropriate in advertising. This must be taken into account in applying the Code standards to advertising. Furthermore, in application to advertising, the principles and standards of the Code are supplemented by the following standards for advertising:

Illustrations and text shall not misrepresent the character of a motion picture.

Illustrations shall not depict any indecent or undue exposure of the human body.

Advertising demeaning religion, race, or national origin shall not be used.

Cumulative overemphasis on sex, crime, violence and brutality shall not be permitted.

Salacious postures and embraces shall not be shown.

Censorship disputes shall not be exploited or capitalized upon.

Standards for titles

A salacious, obscene, or profane title shall not be used on motion pictures.

PRODUCTION CODE REGULATIONS

I. Operations

A. Prior to commencement of production of a motion picture, the producer shall submit a shooting, or other, script to the Office of Code Administration. The Administrator of the Code shall inform the producer in confidence whether a motion picture based upon the script appears to conform to the Code. The final judgment of the Administrator shall be made only upon reviewing of the completed picture.

B. The completed picture shall be submitted to the Code Office and if it is approved by the Administrator, the producer or distributor shall upon public release of the picture place upon an introductory frame of every print distributed for exhibition in the United States the official Seal of the Association with the word "Approved" above the Seal, and below, the words "Certificate Number," followed by the number of the Certificate of Approval. All prints bearing the Code Seal shall be identical.

C. The Administrator, in issuing a Certificate of Approval, shall condition the issuance of the Certificate upon agreement by the producer or distributor that all advertising and publicity to be used for the picture shall be submitted to and approved by the Director of the Code for Advertising.

D. The Administrator, in approving a picture under the Code, may recommend that advertising for the picture carry the informational line Suggested for Mature Audiences. If the Administrator so determines, the distributing company shall carry the line Suggested for Mature Audiences in its advertising. The Administrator shall notify the Director of the Code for Advertising of all such pictures.

E. The title of an approved motion picture shall not be changed without prior approval of the Director of the Code for Titles.

F. Nonmembers of the Association may avail themselves of the services of the Office of Code Administration in the same manner and under the same conditions as members of the Association.

G. The producer or distributor, upon receiving a Certificate of Approval for a picture, shall pay to the Office of Code Administration a fee in accordance with the uniform schedule of fees approved by the Board of Directors of the Association.

II. Motion Picture Code Board

A. A Motion Picture Code Board is established with these two principal functions:

To hear appeals from decisions of the Code Administrator.

To act as an advisory body on Code matters.

1. The Code Board shall be composed of the following:

(a) The President of the Motion Picture Association of America, and nine other directors of the Association appointed by the President;

(b) Six exhibitors appointed by the President upon nomination by the National Association of Theatre Owners; and

(c) Four producers appointed by the President upon nomination by the Screen Producers Guild.

2. The President of the Motion Picture Association of America shall be Chairman of the Code Board, and the Association shall provide the secretariat.

3. The President may designate not more than two pro tempore members for each category as substitutes for members unable to attend a particular Board meeting or a hearing.

4. The presence of ten members shall constitute a quorum of the Board for meetings and hearings.

5. The members of the Board required to travel to attend a meeting shall be reimbursed for transportation and subsistence expenses, which shall be paid to them from funds of the Office of Code Administration.

B. Advisory.

The procedures governing meetings of the Board in its advisory function shall be as follows:

1. The Board shall meet upon call of the Chairman at a time and place he may designate.

2. Members may submit suggestions for an agenda, which shall be prepared and circulated by the Chairman in advance of meetings. Upon majority vote, additional items may be submitted and brought up for discussion at meetings.

3. The Board through the Chairman may request the presence of the Code Administrator at meetings; may request oral and written reports from its distributor, exhibitor and producer members on the status of the Code; may call for advice and reports upon others in a position to contribute to a better understanding and more efficacious operation of the system of self-regulation; and may perform such other functions of an advisory nature as may redound to the benefit of the Code.

C. Appeals

1. Any producer or distributor whose picture has not been approved by the Code Administrator may appeal the decision to the Motion Picture Code Board by filing a notice of appeal to the Chairman of the Board.

2. The procedures governing appeals before the Code Board shall be as follows:

(a) The Board, upon being called into meeting by the Chairman, shall view an identical print of the picture denied a Certificate of Approval by the Code Administrator.

(b) The producer or the distributor and the Code Administrator, or their representatives, may present oral or written statements to the Board.

(c) The Board shall decide the appeal by majority vote of the members present and its decision shall be final.

(d) No member of the Board shall participate in an appeal involving a picture in which the member has a financial interest.

3. The jurisdiction of the Board is limited to hearing the appeal and it is without power to change or amend the Code.

4. The Code Board, if it authorizes the issuance of a Certificate of Approval, may do so upon such terms and conditions as it may prescribe.

ADVERTISING CODE REGULATIONS

1. These regulations are applicable to all members of the Motion Picture Association of America, and to all producers and distributors of motion pictures with respect to

each picture for which the Association has granted its Certificate of Approval.

2. The term "advertising" as used herein shall be deemed to mean all forms of motion picture advertising and exploitation, and ideas therefor, including the following: pressbooks; still photographs; newspaper, magazine and trade paper advertising; publicity copy and art intended for use in pressbooks or otherwise intended for general distribution in printed form or for theatre use; trailers; posters, lobby displays, and other outdoor displays; advertising accessories, including heralds and throwaways; novelties; copy for exploitation tieups; and all radio and television copy and spots.

3. All advertising shall be submitted to the Director of the Code for Advertising for approval before use, and shall not be used in any way until so submitted and approved. All advertising shall be submitted in duplicate with the exception of pressbooks, which shall be submitted in triplicate.

4. The Director of the Code for Advertising shall proceed as promptly as feasible to approve or disapprove the advertising submitted.

The Director of the Code for Advertising shall stamp "Approved" on one copy of all advertising approved by him and return the stamped copy to the Company which submitted it. If the Director of the Code for Advertising disapproves of any advertising, the Director shall stamp the word "Disapproved" on one copy and return it to the Company which submitted it, together with the reasons for such disapproval; or, if the Director so desires, he may return the copy with suggestions for such changes or corrections as will cause it to be approved.

5. All pressbooks approved by the Director of the Code for Advertising shall bear in a prominent place the official seal of the Motion Picture Association of America. The word "Approved" shall be printed under the seal. Pressbooks shall also carry the following notice:

"All advertising in this pressbook, as well as all other advertising and publicity materials referred to therein, has been approved under the Standards for Advertising of the Code of Self-Regulation of the Motion Picture Association of America. All inquires on this procedure may be addressed to: Director of Code for Advertising, Motion Picture Association of America, 522 Fifth Avenue, New York, New York 10036.

6. When the Code Administrator determines that any picture shall carry the informational line "Suggested for mature audiences," the Director of the Code for Advertising shall require this line to appear in such advertising for that picture as the Director may specify. When the advertisement is limited in size, the Director may authorize the initials SMA to stand for "Suggested for mature audiences."

7. Appeals. Any Company whose advertising has been disapproved may appeal from the decision of the Director of the Code for Advertising, as follows:

It shall serve notice of such appeal on the Director of the Code for Advertising and on the President of the Association. The President, or in his absence a Vice President designated by him, shall thereupon promptly and within a week hold a hearing to pass upon the appeal. Oral and written evidence may be introduced by the Company and by the Director of the Code for Advertising, or their representatives. The appeal shall be decided as expeditiously as possible and the decision shall be final.

8. Any Company which uses advertising without prior approval may be brought up on charges before the Board of Directors by the President of the Association. Within a reasonable time, the Board may hold a hearing, at which time the Company and the Director of the Code for Advertising, or their representatives, may present oral or written statements. The Board, by a majority vote of those present, shall decide the matter as expeditiously as possible.

If the Board of Directors finds that the Company has used advertising without prior approval, the Board may direct the Administrator of the Code to void and revoke the Certificate of Approval granted for the picture and require the removal of the Association's seal from all prints of the picture.

9. Each Company shall be responsible for compliance by its employees and agents with these regulations.

[From the Washington (D.C.) Post, Sept. 21, 1966]

FILMS AND FREEDOM

The Motion Picture Association of America announces today a new code of self-regulation for the film production industry. For a decade the principle movie-makers of the country have operated under a production code which gave rather extravagant lip service to Victorian proprieties and had a steadily diminishing relation to the realities of contemporary taste and artistic expression. Jack Valenti, the new president of the MPA, seems to have made it his first order of business to modernize the code and give it effective meaning. He deserves congratulations on the accomplishment.

One need only look at the movie section of any daily newspaper to see that there is a good deal of pandering to prurience and vulgarity in the current bill of fare; no doubt that is a shrewd response to what a considerable part of the public wants. But there is also a great deal of first-rate entertainment and a quantity of extremely interesting experimentation in motion pitcure themes, techniques and forms of expression. The movies can have freedom to flourish as an art only if they have a considerable measure of freedom at the same time to shock, disgust and even outrage a portion of the public.

The movie-makers have sought to preserve their freedom by embracing a measure of self-regulation—a traditional American approach. Their new code seeks "to assure that the freedom which encourage the artist remains responsible and sensitive to the standards of the larger society." It differs from the old code in two respects. First, it refrains from treating any subject as taboo, focusing its regulation instead on the treatment accorded to the subject. Second, it embraces a classification system for films, candidly announcing to the public that some products are designed for adult audiences only.

The standards for film treatment of subject in the new code are, perhaps necessarily, vague and pious. They provide, for example, that "evil, sin, crime and wrong-doing shall not be justified." That can mean anything or nothing, of course. Propriety being a matter of taste, there are bound to be difference of opinion concerning it. We shall have to see how the new code is administered.

We think voluntary classification is a good idea—a much better idea than the mandatory and official classification instituted by law in Dallas and recently approved there by a decision of the Fifth Circuit Court of Appeals. There are pictures of interest to adults which some of those adults do not wish their children to see.

The MPA proposes to have such films identified as "suggested for mature audiences." It does not propose, as the Dallas ordinance does, to have the classification made by a board of censors or to penalize exhibitors who allow juveniles to attend. It puts the responsibility for protecting children where it belong—on their parents. And it gives parents the notification necessary for them to exercise their supervisory role intelligently. That is about as much as can be done without incurring the evils of censorship.

The new code affords a hopeful augury that the motion picture industry is definitely coming of age. Unfettered, it has a prodigious potential both as art and as entertainment.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COHELAN, until Tuesday, on account of business in district.

Mr. COOLEY (at the request of Mr. FRIEDEL), for today, on account of official business.

Mr. TUCK (at the request of Mr. FRIEDEL), on account of the death of the wife of a member of his staff.

Mr. NEDZI, for September 26 to October 5, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. LAIRD, for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. MCCLORY) and to revise and extend their remarks and include extraneous matter:)

Mr. QUIE for 60 minutes, today.

Mr. GLENN ANDREWS, for 5 minutes, today.

Mr. CHAMBERLAIN, for 30 minutes, on Thursday, September 29, 1966.

Mr. FEIGHAN (at the request of Mr. BOGGS), for 1 hour, today; to revise and extend his remarks and include extraneous matter.

Mr. DENT (at the request of Mr. BOGGS), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. FINO and to include extraneous matter.

Mr. SAYLOR to revise and extend his remarks.

Mr. BENNETT.

Mr. TENZER.

(The following Members (at the request of Mr. MCCLORY) and to include extraneous matter:)

Mr. PELLY.

Mr. MIZE.

(The following Members (at the request of Mr. BOGGS) and to include extraneous matter:)

Mr. DORN.

Mr. FISHER.

Mr. STALBAUM.

Mr. MURPHY of New York.

Mr. BROOKS.

Mr. POWELL.

Mr. SCHMIDHAUSER.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 293. An act to authorize the establishment of a public college of arts and sciences and a public community and vocational college in the District of Columbia; to the Committee on the District of Columbia.

S. 2709. An act to name the Veterans' Administration hospital located in Clarksburg, W. Va., the "Louis A. Johnson Memorial Veterans' Hospital"; to the Committee on Veterans' Affairs.

S. 3485. An act to amend section 3 of the act of July 23, 1955 (ch. 375, 69 Stat. 368); to the Committee on Interior and Insular Affairs.

S. 3704. An act to provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York City, N.Y.; to the Committee on Banking and Currency.

S. 3823. An act to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes; to the Committee on Interior and Insular Affairs.

S.J. Res. 194. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 9976. An act to amend the act of September 2, 1964.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1449. An act for the relief of Dr. Enrique Ramon Ducassi;

S. 2854. An act for the relief of Dr. Gottfried Kaestner;

S. 2946. An act for the relief of Dr. Mario V. Machado Espinosa; and

S. 3510. An act to authorize the Secretary of the Interior to study the feasibility and desirability of a Connecticut River National Recreation Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes.

ADJOURNMENT

Mr. BOGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 47 minutes p.m.), under its previous order, the House adjourned until Monday, September 26, 1966, at 12 o'clock noon.

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. DAWSON: Committee on Government Operations. H.R. 15335. A bill to amend the act entitled "An act to establish an Advisory Commission on Intergovernmental Relations," approved September 24, 1959, with amendment (Rept. No. 2065). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACDONALD: Committee on Interstate and Foreign Commerce. H.R. 12543. A bill to amend the Trading With the Enemy Act to provide for the transfer of three paintings to the Federal Republic of Germany in trust for the Weimar Museum (Rept. No. 2066). Referred to the House Calendar.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. S. 1607. An act to amend the act of September 13, 1962, authorizing the establishment of the Point Reyes National Seashore in the State of California, and for other purposes; with amendment (Rept. 2067). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDMONDSON: Committee on Interior and Insular Affairs. S. 3460. An act to authorize the Secretary of the Interior to enter into contracts for scientific and technological research, and for other purposes; with amendment (Rept. No. 2068). 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. BENNETT:

H.R. 17911. A bill to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H.R. 17912. A bill to prescribe penalties for certain acts of violence or intimidation, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 17913. A bill to strengthen State and local governments, to provide the States with additional financial resources to improve elementary and secondary education by returning a portion of the Federal revenue to the States; to the Committee on Ways and Means.

By Mr. DE LA GARZA:

H.R. 17914. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 17915. A bill to consolidate water quality management and pollution control authorities and functions in the Federal Water Pollution Control Administration; to the Committee on Government Operations.

H.R. 17916. A bill to require the Secretary of the Interior to make a comprehensive study of the polar bear and walrus for the purpose of developing adequate conservation measures; to the Committee on Merchant Marine and Fisheries.

By Mr. O'BRIEN:

H.R. 17917. A bill to provide for the admission into the Union, on an equal footing with the original States, of the Commonwealth of Puerto Rico; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.R. 17918. A bill to provide for the admission into the Union, on an equal footing with the original States, of the Commonwealth of Puerto Rico; to the Committee on Interior and Insular Affairs.

By Mr. CAREY:

H.R. 17919. A bill to provide for the admission into the Union, on an equal footing with the original States, of the Commonwealth of Puerto Rico; to the Committee on Interior and Insular Affairs.

By Mr. CRALEY:

H.R. 17920. A bill to provide for the admission into the Union, on an equal footing with the original States, of the Commonwealth of Puerto Rico; to the Committee on Interior and Insular Affairs.

By Mr. FASCELL:

H.R. 17921. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 17922. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 17923. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.R. 17924. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. FUQUA:

H.R. 17925. A bill to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GONZALEZ:

H.R. 17926. A bill to encourage the States to extend coverage under their State unemployment compensation laws to agricultural labor; to the Committee on Ways and Means.

By Mr. HANSEN of Iowa:

H.R. 17927. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. KORNEGAY:

H.R. 17928. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 17929. A bill to amend the act of September 30, 1961 (75 Stat. 732); to the Committee on the Judiciary.

By Mr. McDOWELL:

H.R. 17930. A bill to provide additional assistance for areas suffering a major disaster; to the Committee on Public Works.

By Mr. PIRNIE:

H.R. 17931. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. ROBISON:

H.R. 17932. A bill to encourage the prevention of air and water pollution by allowing

the cost of treatment works for the abatement of air and water pollution to be amortized at an accelerated rate for income tax purposes; to the Committee on Ways and Means.

By Mr. STALBAUM:

H.R. 17933. A bill to preserve, protect, develop, restore, and make accessible the lake areas of the Nation by establishing a national lake areas system and authorizing programs of lake and lake areas research, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WATSON:

H.R. 17934. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 17935. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 17936. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

H.R. 17937. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 17938. A bill to establish a National Council for the Handicapped, and to declare a national policy for the adjustment, education, rehabilitation, and employment of the handicapped, with emphasis upon development of the handicapped in a manner calculated to enable them to take their rightful place in society, and for other purposes; to the Committee on Education and Labor.

By Mr. FULTON of Pennsylvania:

H.R. 17939. 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. HARSHA:

H.R. 17940. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 17941. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. KORNEGAY:

H.R. 17942. A bill to amend the Internal Revenue Code of 1954 to provide that an individual may deduct amounts paid for his higher education, or for the higher education of any of his dependents; to the Committee on Ways and Means.

By Mr. LOVE:

H.R. 17943. A bill to suspend, except for facilities to control air or water pollution, the investment credit and the allowance of accelerated depreciation in the case of certain real property; to the Committee on Ways and Means.

By Mr. MORTON:

H.R. 17944. A bill to provide for the admission into the Union, on an equal footing with the original States, of the Commonwealth of Puerto Rico; to the Committee on Interior and Insular Affairs.

By Mr. TENZER:

H.R. 17945. A bill to amend the Internal Revenue Code of 1954 to limit the maximum rate of percentage depletion to a rate of 20 percent, and to impose a special limitation on the amount of the depletion deduction where the proceeds thereof are used to finance the taxpayer's expansion into an unrelated field; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 17946. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. KASTENMEIER:

H. Con. Res. 1016. Concurrent resolution to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

By Mr. COOLEY:

H. Con. Res. 1017. Concurrent resolution to authorize the printing of additional hearings and other materials by the Committee on Agriculture; to the Committee on House Administration.

By Mr. GLENN ANDREWS:

H. Res. 1021. Resolution creating a special committee to conduct an investigation and study of the conduct of Congressman ADAM CLAYTON POWELL in order to determine whether he should be censured, expelled, or otherwise punished by the House; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 17947. A bill for the relief of Panagiotis Leontaritis; to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 17948. A bill for the relief of Willie Miller; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 17949. A bill for the relief of Elio and Antonia Severino; to the Committee on the Judiciary.

By Mr. JOHNSON of Oklahoma:

H.R. 17950. A bill for the relief of Michael Keng-Tong Lau; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 17951. A bill for the relief of the survivors of Brig. Gen. William J. Boehmer; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 17952. A bill for the relief of Delfin S. A. Goleco; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 17953. A bill for the relief of Daniel Marin Macias; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Malian Anniversary

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1966

Mr. POWELL. Mr. Speaker, on September 22, 1960, the Republic of Mali was proclaimed. On this sixth anniversary of the reemergence of Mali, I wish to extend warm greetings to His Excellency Modibo Keita, President of the Republic of Mali, and to His Excellency Moussa Leo Keita, Mali's Ambassador to the United States.

Of course, I should hasten to point out that the people of Mali have a rich cultural heritage of which they are justly proud. Mali is heir to a large portion of what were the old empires of Mali and Songhai between the 11th and 14th centuries, respectively.

Like most of the other newly independent states, Mali is waging a determined struggle to bring to her people the fruits of 20th century technology and production methods. Various economic difficulties have confronted the country, but there is every indication that the leadership in Mali is determined to overcome them. The country is primarily agricultural, depending largely on peanuts, rice, and cotton for export trade. Fish and cattle are playing an ever-increasing role, and the outlook is getting brighter for increased cattle production. Fortunately the country is self-sufficient in food production, and the people can afford to concentrate on increasing other agricultural production.

The United States has attempted to assist the Malian people in stabilizing and improving their country's economy. To those ends, we have extended technical assistance and modest sums through our development loans and grants. Through cooperation with U.N. agencies, her neighbors, and foreign assistance, Mali should once again reach the heights of achievement which the ancient empires of Mali and Songhai once scaled. It is my hope that this day will arrive soon.

Fino Introduces Bill To Amend Civil Rights Law To Curb Riots

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1966

Mr. FINO. Mr. Speaker, now that the proposed civil rights legislation is dead for this session of Congress, I think we

ought to make sure that the antiriot provision of that bill becomes law by passing a separate bill.

I am therefore introducing the antiriot section of the civil rights bill as a separate bill. I hope that Congress will pass it, so as to put the strong arm of the Federal Government to work repressing instead of inciting riots.

U.S. Sports Ambassador

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 22, 1966

Mr. SAYLOR. Mr. Speaker, when the Boston Celtics appear at the Farm Show Arena in Harrisburg, Pa., on Saturday night of this week against the Philadelphia 76'ers in a National Basketball Association exhibition game, they will place on display not only one of the most outstanding ball handlers the game has ever known, but also a sports ambassador whose contributions in the interests of Latin American harmony merit national recognition.

Sam Jones, whose finesse on the court provides exciting afternoons for television sports fans, has also established himself as a diplomat of note. During the past summer he visited Panama, Costa Rica, and Honduras on a goodwill trip featuring sports talks and basketball exhibitions. He met with Government officials, students, and the general public in pan-America, and his deep affection for our neighbors in those countries was as much in evidence as his dazzling basketball play.

Reports from the countries visited are glowing testimony to the universal popularity of an American athlete who is also a dedicated humanitarian. The trip was sponsored by the United Fruit Co., at no cost whatsoever to the U.S. Government or to the countries involved.

Mr. Jones is far more than a brilliant athlete. He and Mrs. Jones have five children, but they still find time to help other youngsters wherever possible. By bringing high school graduates who are good students and good athletes to the attention of various institutions of higher learning, they have personally helped more than 50 boys—who otherwise would hardly have been able to continue their education—to enter college.

Newspapers in Central America devoted generous space to the Sam Jones visit. On his return to this country he said that he felt like Wilt Chamberlain when he played against the San Blas Indians, none of whose players is more than 5 feet in height. What Sam did not say was apparent in the reception wherever he went. Because of his warm personality and exemplary conduct, he was looked up to by everyone and presented just the image America needs to create.

I would hope that other companies with operations in foreign lands will follow the example of United Fruit to give friends abroad an opportunity to see and meet popular athlete heroes like America's own Sam Jones.

Disclosures of the Week

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 22, 1966

Mr. PELLY. Mr. Speaker, some of the disclosures which I have been enumerating about huge Government spending and the basis of the spiraling high cost of living are now conceded by President Johnson. His recent statements confirm what I have said for a long time; namely, that a serious problem exists and that the urgency in providing a solution should not be delayed until after the forthcoming November election.

The President, as has been pointed out, has dealt with the political aspects of the problem, but not the problem itself. The President recommends elimination of the 7-percent incentive on depreciation and likewise accelerated depreciation.

Obviously, Mr. Speaker, any such cooling of the economy by a damper on new plant and machinery expansion under President Johnson's proposal would not be effective for a year or two. By that time, it may desirable to stimulate the economy. Who knows?

The problem which the administration should face up to is excessive domestic Government spending.

Hereinafter, let me recite a few facts which I have come across here and there bearing on this and other situations—all of which are indications of the cause and effect of unwise economic spending and unsound policies. Here are a few examples:

CASE I—MONEY SUPPLY EXPANDS TOO FAST

The U.S. money supply increased by 270 percent between 1939 and 1959. Industrial production during this period was up 177 percent, but could not keep up because the Government of late has been pumping nonproductive money into the economy. Deficit financing, easy credit, outright creation of new currency—all these recent Government policies have inflated the currency supply without adding any production of goods or services.

CASE II—PRICE AND WAGE CONTROL PLANS

According to columnist Ralph de Toledano, the White House Office of Emergency Planning has already drafted regulations and blueprints for the imposition of wage and price control legislation.

CASE III—U.S. GOLD SUPPLY

According to the September 15 Wall Street Journal, France more than doubled its purchases of U.S. gold in the second quarter, and the drain on the Treasury for domestic use also mounted.

CASE IV—SHORT-TERM MONEY MARKET

The Treasury had to pay a record 5.926 percent on its latest 6-month borrowing and the Federal Home Loan Banks offered 6.2 percent on a $650 million issue of new 1-year bonds.

CASE V—FEDERAL SUBSIDIES

The National Council on the Arts has announced awards to eight novelists, five poets, and a journalist. Each is being given $10,000 in Federal money and has no connection with the poverty program. On the contrary, several of the recipients have already published successful books.

CASE VI—CONSTRUCTION OF DEFENSE BARGES

A Hong Kong dockyard with strong ties to Red China has built—at a big profit—barges for the Defense Department for use in Vietnam an article states in the New York World Journal Tribune of September 18.

CASE VII—TOTAL NATION'S DEBTS

The Nation's debt, private and Government, now stands at about $1,300 billion, Barry Goldwater said in a New Mexico speech. He said the Nation's overall assets amount to $1,400 billion and that spending and borrowing in business means bankruptcy, and that the Johnson administration does not understand that Federal spending is the cause of the high cost of living and inflation.

Schmidhauser Lauds Corn Industry Research

EXTENSION OF REMARKS
OF
HON. JOHN R. SCHMIDHAUSER
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 22, 1966

Mr. SCHMIDHAUSER. Mr. Speaker, the recent announcement that the Corn Industries Research Foundation was changing its name to the Corn Refiners Association was accompanied by a statement of policy which I would like to call to the attention of Members of the House. The association, which represents the corn refining industry—producers of corn starch, suger, sirup, oil, and hull and gluten livestock feeds—has gone on record as recognizing the responsibility owed to the farmer by the industry and proposes the adoption of programs to increase public understanding of the job being done by our farmers.

The Hubinger Co., a member of the Corn Refiners Association, is located in Keokuk, Iowa, in my district, and I am pleased to congratulate them and the other member companies for a most progressive and enlightened attitude.

More than ever, the farmer needs public understanding of his problems and public support. The amazing productive capability of American agriculture has

allowed the development of prosperity in this country unmatched in the history of the world. But this productive capacity may be threatened by public indifference to the farmers' need to earn a living wage. It is vital in the years ahead that no such threat be allowed to materialize. The American farmer is going to be called upon to devote all his efforts and ingenuity not only to meet increasing domestic demand, but also to assist in the war against starvation in the rest of the hungry world.

We must have programs that effectively assist the farmer in meeting this goal and these programs must be understood by the public at large and supported by them. Programs such as that promulgated by the Corn Refiners Association can go far in developing just such public understanding and support. I hope their effort will serve as an example to other industries dependent on agriculture and on the skills and hard work of the American farmer.

Statement by Senator Nelson, Submitted to the House Natural Resources and Power Subcommittee at a Hearing in Milwaukee, September 16, 1966

EXTENSION OF REMARKS
OF
HON. LYNN E. STALBAUM
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 22, 1966

Mr. STALBAUM. Mr. Speaker, Senator GAYLORD NELSON, of Wisconsin, has been doing battle with pollution long before it won the fervent embrace accorded fashionable issues. The dedication to preserving the country's natural resources which has distinguished his first term in the Senate was equally perceptible during his service as a State legislator and as Wisconsin's Governor.

In recent years the country has been inundated by a spate of dissertations on the threat of pollution, most of them offering warmed-up antidotes in a stale and repetitive idiom. However, Senator NELSON's well of ideas has not run dry—in the 89th Congress he has authored an imaginative package of seven bills to meet the pollution crisis. The provisions of those measures were lucidly described in a statement Senator NELSON presented on September 16 to hearings held by the House Subcommittee on Natural Resources and Power in Milwaukee. I am confident that the Senator's cogent analysis of the water pollution problems facing Wisconsin will be of interest to my colleagues from all parts of the country. The statement follows:

STATEMENT BY SENATOR NELSON SUBMITTED TO THE HOUSE NATURAL RESOURCES AND POWER SUBCOMMITTEE AT A HEARING IN MILWAUKEE, SEPTEMBER 16, 1966

Mr. Chairman, I want to welcome your Sub-committee to Milwaukee and congratulate you on carrying your continuing investigation of the nation's serious water pollution problems into this lovely state of ours which is so dependent upon its irreplaceable water resources.

I wish I could welcome you with the assurance that in Wisconsin you will be surrounded by sparkling blue, clear, fresh water, fit for drinking, fishing, bathing and a wide variety of recreational activities. Certainly there was a time when that was true. The fresh water resources of Wisconsin have played a major role in the development of its diverse economy and could play an extremely significant role in the continued growth and development of the state as one of the great recreational centers of the nation.

However, in welcoming you I must inform you that throughout our state our fresh water resources are gravely threatened by pollution which is increasing steadily despite a long continuing anti-pollution campaign and which will destroy these resources in a relatively few years unless some bold, new action is taken.

I wish there were time for the Sub-committee to tour the state and see this pollution problem firsthand. Photographers for the Milwaukee Journal recently toured Wisconsin and delivered to the reading public a shocking pictorial display of gross pollution in almost every section of the state. Official reports of state, local and federal agencies have also documented the mounting pollution crisis in Wisconsin.

Let me take you on a quick tour of the map of Wisconsin and outline for you the manner in which pollution of our fresh water resources is virtually strangling Wisconsin.

On our western border the Mississippi River is becoming increasingly polluted by a torrent of filth pouring out of the Minneapolis-St. Paul area. There is a variety of pollution problems all along the Wisconsin shore of the Mississippi but the problem of Minneapolis-St. Paul pollution is so overwhelming that it dwarfs all others.

On our northwestern border we have one of the last unpolluted major rivers in the nation—the St. Croix—which we are trying to preserve as a national scenic riverway but which is threatened by many developments including the destruction of parts of its shoreline by developers and cottage owners.

On our far northern boundary, Lake Superior, the last pure lake left in the Great Lakes chain, is showing the first serious signs of developing pollution. The Superior City Council is very concerned about pollution of the Duluth-Superior harbor which comes from inadequately treated municipal sewage, industrial wastes, shipboard discharges and a variety of other pollutants coming from a number of communities in Wisconsin and Minnesota. Lake Superior also is being polluted by taconite plants on the north shore of the lake just outside Duluth. The pollution at the western end of Lake Superior is begining to spread in currents through the lake and is already posing a threat to the Apostle Islands region, which we hope to establish as a national recreation area. Although the problem in Lake Superior is not as critical as elsewhere, it is a dramatic case because it is one place where we could save a lake—one of the largest and purest lakes in the world—if we were to move quickly and decisively.

All across Northern Wisconsin our inland lakes, of which we have more than 8,000, are threatened by complex pollution problems which vary considerably with the size of the lake and the degree of development which has occurred along its shores. Many of these lakes are now almost completely ringed with cottages, many of them with septic tanks which discharge their wastes into the waters. Many have been victims of unwise subdividing policies which have cut down the trees along their shores and caused serious erosion and siltation. As a result, hundreds of these beautiful Northern Wisconsin lakes already are suffering from cloudy water, excessive weed and algae growth, scum and undesirable odors, and their value for bathing, boating and fishing is seriously impaired. As time goes by almost every lake in Wisconsin faces this same threat.

On our Eastern border we have a pollution crisis of national significance developing. You are familiar with the extremely serious pollution problems in southern Lake Michigan where the Public Health Service has documented catastrophic pollution which, we are told, may never be corrected. This same problem appears to be extending up along the Lake Michigan shoreline of Wisconsin. Some of the same dense algae growth which is plaguing the southern tip of Lake Michigan is now showing up off our Wisconsin shoreline. All along our Lake Michigan shore the lake is being polluted to a varying extent by storm sewer overflows, inadequately treated municipal sewage, industrial wastes, and the dumping of sewage, garbage, refuse and oil from commercial ships. The problem is especially serious in the Milwaukee area, and I assume much of your hearing today will be devoted to studying Milwaukee's grave pollution problems.

As you progress up the Lake Michigan shoreline, the pollution of Lake Michigan decreases but you encounter new and equally serious problems in Green Bay. This is one of the great recreational waters in the nation. The Door County Peninsula, bounded on the east by Lake Michigan and on the west by Green Bay is a nationwide recreation center, the site of a multi-million dollar resort industry and a haven for yachtsmen from all over the country.

Pollution is slowly but steadily filling this once beautiful bay and in time it will destroy the bay itself and this great recreational industry. The pollution originates primarily from industries and communities along the rivers which drain into Green Bay, primarily the Peshtigo, the Oconto and the Fox Rivers. Because of this torrent of pollution, especially from the Fox River, beaches at the City of Green Bay have been closed for more than 25 years. Scientific studies by the Public Health Service show that the pollution is steadily moving northward up the Door County Peninsula at the rate of at least one mile per year. Reports I receive from boaters, cottage owners and resort operators indicate that the advance of this dark cloud of pollution is even more rapid than that.

Upstream on the Fox River, Wisconsin is blessed with one of the large inland lakes in the nation—Lake Winnebago—an extremely valuable recreational resource in a densely populated section of our state. Lake Winnebago also is seriously threatened by pollution from cottages along the shore and from drainage from the fields and farms along its banks.

In the center of southern Wisconsin, the city of Madison is nationally famous as a city of four lakes with our state capitol and our state university centered in the midst of this water-wonderland. The Madison lakes are also seriously threatened by pollution and the complex aging problems which face inland lakes in heavily populated areas. Direct discharges of municipal sewage and industrial wastes no longer flow into the Madison lakes, but these waters continue to deteriorate from a small amount of sewage plant effluent that comes in through a small river and from storm-water run-off, the draining of fertilizers and pesticides in the lake, siltation and erosion. The waters of these lakes are becoming increasingly dirty and turbid and the municipalities responsible for the lakes find it difficult to cope with algae growth and scum.

A lake facing even more serious problems is Lake Koshkonong in South Central Wisconsin.

I could go on endlessly but the story is the same almost everywhere. The fresh water assets of Wisconsin are slowly, systematically being destroyed.

I don't think I need explain what a catastrophe it would be if this trend were to continue and if these fresh water assets were, in fact, to be ruined by pollution. It would be an economic disaster, it would be an aesthetic disgrace, it would represent one of the greatest failures imaginable for our system of representative government.

The question which this Sub-committee will want to consider is: What can we do about this pollution crisis?

The first thing we must do is to admit that, as things stand today, we are losing the war against pollution in Wisconsin, just as we are in most parts of the nation. You probably will be hearing outbursts of civic pride to the effect that Wisconsin has one of the oldest and finest water pollution control systems in the nation, dating back 40 years. I suppose you should give some consideration to these accomplishments of the past. It is true that our state moved early and rather vigorously to deal with the pollution problem. But it seems to me that the most significant facts on the pollution crisis in Wisconsin are found in the soiled rivers and suffocating lakes rather than in the published reports of agencies which tend to count victories in terms of the number of orders issued rather than in actual water quality.

If Wisconsin were winning its war against pollution we would not be confronted with reports such as that recently issued by the Southeastern Wisconsin Regional Planning Commission. This report, as summarized by the Milwaukee Journal news story of August 18 said:

"Southeast Wisconsin has all but converted the vast majority of its 745 miles of rivers and streams into open sewers. If present trends continue the job can be finished with minor exceptions by 1990 . . . Not one of the 12 major river basins was generally fit for partial body contact such as fishing or wading . . . One sample of the Pewaukee River turned up 3,000,000 coliform bacteria in 100 milliliters of water."

In commenting on this report the Milwaukee Journal stated in an editorial on August 18:

The trouble with past efforts against water pollution has been partly one of emphasis. Agencies such as the State Committee on Water Pollution . . . have concentrated on slowly forcing treatment plants to improve their standards. This is essential but it isn't enough if pollution from other sources is ignored—the overflow from combined city sewer systems, the run-off from farmland and from city streets, the weeping of septic tanks located in insuitable soils, the wash of rubbish from flood plains. Wisconsin's past anti-pollution drive has been undermanned, underfinanced and overstretched . . . What is needed is a total approach to unclean water, one which considers rivers, streams, lakes and ground water and all the untidy land habits of man which threaten their quality."

This is essentially what I have been saying, although it has taken me more words to say the same thing, over a period of many years. We must organize in Wisconsin—and throughout the nation—a co-ordinated, all-out emergency campaign to save our fresh water assets, and this campaign must involve individual citizens, private industry, local government, state government, interstate commissions and the federal government.

You may encounter an attitude in our state which seems to say, "Leave us alone, we have been working on this problem a long time and we can handle it best by ourselves."

The filth in the rivers and lakes of Wisconsin should be enough to brush aside any such attitude. You may also hear claims to the effect that "99.9 percent of our sewage" is subjected to treatment. This may fool some people but I am sure it will not impress people such as you who know that the statement by itself is meaningless. What counts is the quality of treatment and the actual quality of the waters where these treated wastes are discharged.

I do think that the press and the people of Wisconsin are alert to the pollution crisis as never before and are ready to join in an all-out campaign to save our waters. Our State Legislature has recently greatly strengthened our state anti-pollution campaign. One significant feature of the new law is the authority it provides to regulate development along shorelines. This was one of the features which caused me to support the bill when it encountered some serious opposition in the Legislature.

But we need to do much more.

We need much stricter enforcement of all pollution and related public health laws and ordinances at the state and local levels.

We need a greatly expanded program of sewage and waste treatment plant construction both by cities and by industry.

We need greatly expanded research into effective ways to treat sewage and industrial wastes if we are to have any hope of controlling the torrent of wastes in years to come.

We need special laws to deal with special pollution problems such as detergents, pesticides and shipboard discharges.

We need governmental authority to work directly on our lakes and streams to save them while they still can be saved. I have introduced a comprehensive package of bills in this session of Congress which is directed at many of these problems.

These bills are as follows:

S. 1479, Detergent Pollution Bill—To establish a top level advisory committee of experts, including industry representatives, to establish standards for detergents.

S. 1908, Ship Pollution Bill—To direct the Secretary of Health, Education and Welfare with the aid of an advisory committee to establish regulations for all vessels on inland and navigable waters, to require adequate treatment facilities for sewage and refuse, and to strengthen existing laws relating to pollution of lakes, rivers and harbors by ships and marine terminals.

S. 2940, Waste Management Research Bill—To direct the federal government to launch a research program designed to develop new comprehensive waste management systems, by contracting with universities and private corporations to develop new waste treatment methods.

S. 3327, Municipal Pollution Bill—To provide 90% federal financing for construction of municipal treatment plants and sewers and greatly strengthen pollution enforcement laws.

S. 3608, D. D. T. Pollution Bill—To forbid the sale of the pesticide D. D. T. because of its deadly effect as a poisonous pollutant.

S. 3833, The Lake Preservation Bill—To establish a national system of federal, state and local lake preservation systems.

Another bill yet to be introduced, the Industrial Pollution Bill, will establish a program of grants to industry for up to 50% of the cost of industrial waste treatment plants. The bill also will establish a low-cost loan program for up to 50% of the cost. The theory of this bill is that society cannot continue to tolerate industrial pollution and must be willing to pay the cost to eliminate it.

Finally, I want to make a new plea on this occasion for one obvious step which we must soon take or it will be too late.

We must convene a Federal-State Water Pollution Conference to plan an immediate crackdown on the extremely serious interstate pollution in Lake Michigan, Green Bay and Lake Superior. I have made this suggestion many times in the past but it has been repeatedly rejected. Various excuses have been given; it has been said that such a conference was not timely; that preliminary conferences should be held first with the Governors of the neighboring states; that the state's own water pollution laws should first be revised; that the federal government should first make available the facts which it has.

Every one of these excuses has been disposed of;—yet we still are doing nothing about calling an interstate conference to deal with this crisis. As I have said before, there is little which the City of Superior can do to save itself and Lake Superior from the pollution coming down the St. Louis River from Minnesota. There is little the Michigan and Wisconsin resort industry along Green Bay can do about the pollution pouring out of the Fox, the Peshtigo and the Oconto Rivers. There is little any individual city along Lake Michigan can do to cope with the sea of pollution building up in that lake. This is an interstate crisis and it must be met head on, immediately, with a Federal-State Water Pollution Conference.

As you know such a Conference would be a legal proceeding at which representatives of local, state and federal agencies would meet, inventory the vast interstate pollution problem in our area, trace each instance of pollution back to its source, and agree on an immediate cleanup program. The proceedings of such a conference—unlike the hundreds of meetings which are held to talk about this subject from time to time—could be backed up in the courts if the Governor felt that such action was necessary.

If the mounting interstate pollution of Lake Michigan, Green Bay and Lake Superior is ever to be contained it will have to be done on this interstate level. If this is not done soon the pollution in these three bodies of water may become so serious that it can never be checked.

Monroney-Madden Congressional Reorganization Bill

EXTENSION OF REMARKS

OF

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1966

Mr. BROOKS. Mr. Speaker, yesterday Senator MONRONEY introduced a congressional reorganization bill in the other body. This bill is the Senate version of a bill previously introduced by our distinguished colleague from Indiana, RAY MADDEN.

The proposed legislation is the result of extensive study by the Joint Committee on the Organization of Congress, which Mr. MADDEN, and Mr. MONRONEY served as cochairmen. The changes in congressional procedures and activities recommended by the joint committee have attracted widespread interest among political scientists.

Recently, on September 10, 1966, I had the pleasure of joining the Senator from Oklahoma, cochairman MONRONEY, and several distinguished political scientists

on a panel at the American Political Science Association Convention. The panel attracted considerable interest and was well attended by the political scientists who were in New York City for the convention.

My remarks were primarily centered on the fiscal innovations that are proposed by the Monroney-Madden bill. These critically needed innovations will have a profound effect on Congress; for that reason, I submit my remarks at this time for the consideration of my colleagues:

The Joint Committee on the Organization of Congress approached the problem of congressional reorganization from a practical viewpoint. It was faced with two different views of the direction which its efforts should take. One of these was that the organization of Congress should be based on a concept of party responsibility. The other, that it should direct itself toward organizational reforms which would increase its effectiveness in terms of its relation to the executive branch.

As you know, in recent years there has been a good deal of questioning on the part of students of American Government and by Congress itself as to whether Congress has the ability to respond as an independent branch to the challenges of Executive leadership.

Advocates of increasing party responsibility in Congress necessarily emphasized reforms in the seniority system, curbing the power of individual committee chairmen and strengthening the lines of party responsibility and control in every phase of the legislative process. However, to those who view Congress as being in real need of improving its capacity to meet responsibility, the demands of an almost incredible expanse of programs administered under Federal law, congressional reform must have a somewhat different orientation. This was essentially the view adopted by the joint committee.

We were, of course, aware of the questions of minority rights and other guarantees of this nature. A number of our recommendations reflect an interest in measures which would act as insurance for the rights of the minority and for committees. However, for the most part, the committee reflected our conviction that reform must aim toward improvements in the mechanical efficiency of Congress and toward its development as an independent agency.

The strength of Congress in this area depends on its ability to achieve a broad base of support and a degree of unanimity rather than depend on rigid party organization as the structural basis of Congress.

If Congress is to be an independent branch of a Government which deals with all the complexities of a modern technological society, the most crucial interest of the committee had to be to strengthen the capability of the legislative branch to meet its fiscal responsibilities.

To say that Congress "controls the purse strings" is not valid if it is unable to evaluate the conditions under which it does so. At present, budget initiative lies completely with the executive branch. The Executive is responsible for thousands of fiscal decisions and for presenting these decisions to the Congress in the form of the budget document. Congress, in its turn, is responsible for the appropriations process and the continued oversight of programs administered under Federal law. If Congress is unable to do any sort of evaluation of its funding and must instead rely on the executive branch, it abdicates its responsibility. As the Federal budget increases, and more and more programs are added, the burden on Congress grows.

Many of the committee's recommendations are designed to make it possible for Congress to participate more actively and intelligently in the budget process.

With this goal in mind, the committee made a number of specific recommendations in which I think you will be interested and which I hope you will support. We recommended an expansion and a new role for the General Accounting Office and proposed the establishment of a Government-wide classification system. We also made several proposals for changes in the appropriations process.

For example, the revision of the role played by the General Accounting Office is an essential part of the committee's attempt to give Congress a practical basis for its fiscal deliberations. The GAO has previously had only a post-auditing function. Joint committee provisions make it additionally responsible for assisting both congressional committees and the individual Members of Congress in locating budget data, summarizing information, and conducting cost-efficiency studies of Government programs.

With this enlarged support from GAO, the committees will be in a better position to respond to the executive budget. They will be able not only to discuss requests presented to them for specific amounts, but also to test the assumptions and conclusions behind the programs themselves. The studies conducted by this new branch of GAO will not only attempt to determine how much money should be appropriated, but also whether or not funds are being used in the most effective way possible. Information such as this is essential to an effective review of the budget. With this information, Congress will be better equipped to understand the implications of its fiscal decisions.

Let me emphasize, however, that the GAO, involved though it will be in the evaluation process, would not, in any way, be delegated a policymaking role. It would conduct studies only at the request of Congress and would be continuously and closely supervised by the appropriate congressional committees. It would, however, provide an expertise that would assure Congress keeping pace with the executive branch in meeting the demands of program budgeting. At present that assurance does not exist.

The proposed Government-wide classification system would also be an effective aid in budget evaluation. The Federal Government has entered an era of program budgeting. The classification system will provide information about programs that cut across agency lines. Oceanography, for instance, which is under the jurisdiction of environmental sciences, the Department of Defense and the Commerce Department—even the Department of Agriculture, would have a single designation under the classification system. Each item on which an expenditure is made by the Government will be codified.

When this has been done—and it will not be easy—information which is now almost impossible to obtain from the budget document will be available for study. If the committee's recommendation is adopted, this classification system will be instituted by 1968, and will be an invaluable tool in the evaluation of the budget and in allocating Government resources without unnecessary duplication.

Another recommendation of the joint committee, the proposal for regular updating of the budget, is certainly deserving of mention. This would be done on June 1 of each year by the Bureau of the Budget and would correct, where necessary, the revenue and expenditure projections which had been modified by time. This is useful and necessary since both estimated costs and estimated revenue are often significantly altered in the 6-month period between the formation of the budget and the time for updating in June. The recommended updating will prevent appropriations and program legislation from being based on the old projections rather than on the current fiscal situation.

The joint committee is aware that none of these recommendations can be initiated overnight. We also realize that it is a good deal easier to make these recommendations, even though they are based on long deliberation and study, than it is to put them into effect on a working basis which will deal with all their far-reaching implications. There will be problems. For example, the classification system, when adopted, could easily have long-range consequences for Federal-State relationships—as, for example, in such areas as agriculture or urban affairs. However, it seems likely that the complications involved in such definitions of its role and in congressional assumption of its fiscal responsibilities will be less troublesome in the end than those that would arise from a continued reluctance on the part of Congress to take action in this field.

In talking with you about these committee recommmendations, I have discussed almost entirely the proposals for the evaluation of the budget and provisions for increasing the availability of budgetary information. However, the committee has also made proposals which extend in several ways to the appropriations process itself.

Our recommendations in this area include the repeal of the 1946 provision for a legislative budget. The legislative budget has proved an inadequate and unwieldy means of congressional review of the fiscal process. The controls suggested by the joint committee allow Congress to work within and benefit from executive budget guidelines without forfeiting its obligation to review executive assumptions.

The report also requires the appearance before the appropriations committees of the Director of the Bureau of the Budget, the Secretary of the Treasury, and the Director of the Council of Economic Advisors. These officials, speaking for the Executive, will answer questions concerning the overall considerations which went into the construction of the budget.

Also as part of the appropriations process, we recommend that the Appropriations Committee assume responsibility for a full review of multiagency programs. In addition, we propose that all congressional committees review carefully the requirements and administration of programs under their jurisdiction. Legislative committees will view critically the financial obligations undertaken by their legislation, insuring thorough consideration of the fiscal consequences of both new legislation and continuing programs at the basic level of congressional action.

In considering these recommendations, I feel they are both comprehensive and constructive. They should go a long way toward improving the ability of Congress to meet its responsibilities to an increasingly complex society.

Thank you.

Address by Hon. Ralph Harvey

EXTENSION OF REMARKS

OF

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1966

Mr. MIZE. Mr. Speaker, at this morning's House prayer breakfast, we were privileged to have as our speaker,

our beloved colleague, the Honorable RALPH HARVEY, of Indiana.

His remarks were extremely timely and provocative. All of us who attended the meeting and heard Mr. HARVEY's address agreed it should be shared with other Members.

I include the address as a part of the RECORD:

ADDRESS BY THE HONORABLE RALPH HARVEY, HOUSE OF REPRESENTATIVES, WASHINGTON, D.C.

In his Hamlet, Shakespeare said "we know what we are but know not what we may be." On this occasion I am going to be presumptuous enough to attempt to look into the future with you and will entitle my presentation "A Long Look Down the Road Ahead, Revelations by HARVEY." My good friend and colleague BILLY MATTHEWS in his own presentation recently before our group stated his basic philosophy from the book of Job. In his case as well as in my own, I believe we are committed to a concept for our own and our country's behavior in practicing patience, tolerance and forgiveness. In a recent sermon, however, Billy Graham stated that our salvation was an individual one by the grace of God, and that Christ represented that grace. He also stated he believed that our modern churches were making their worship services so stereotyped and formal that they were losing their human appeal; he also added that religion should be an outgoing, pleasant experience. I agree.

In our recent breakfasts we have been discussing the place that the clergy has in social welfare problems; and in a general fashion just what the duty of a modern clergyman should be. In a recent issue of the Washington Post there was an article entitled "Social Ills Held Moral Issues" and Rev. Geno Baroni of a Washington Catholic Church is quoted as saying, "It is the role of all churches to 'meddle' in these matters." He further stated "Poverty, Civil Rights, Wages, Jobs, Political Disfranchisement, and Open Occupancy Housing, are all moral issues, and as such are the proper and vital business of the Church." He also stated "A 'new kind' of clergyman is emerging, one who sees it as his role 'to identify with the dispossessed, the old, the poor, and those in misery'. "The great schism in religion will come not over the Bible or theology, but over social issues." It will not be my purpose to debate this issue but have quoted it to refresh our thinking with regard to "what we are" in the hope it can give us a better view of "a long look down the road ahead."

It has been said that we could learn *so* easily from history but unfortunately we actually learn *so* little and are therefore condemned to pay in blood and sweat, and tears for the mistakes we continue to make. With this axiom, I am *not* in agreement. It does seem at times that we do make mistakes of a repetitious nature and in doing so, seem to be stupid. It is to the history of civilization to which we must turn however if we are to point with any degree of accuracy as to what lies ahead.

The Egyptians built their Pyramids, the Jews their Solomon's Temple, the Greeks their Parthenon and the Romans their Colosseum and Forum. Portions of all of them are still remaining as mute evidence to the basic philosophy that lead to their creation. But each was dedicated to the glory of one or a small group of men. Christ came on earth and within two hundred years had actually revolutionized the entire concept of man's obligation to his fellowman and to society. It was my privilege fifteen years ago to visit Jerusalem, the birthplace of both Christianity and the Jewish faith. Not too far away at Mecca is the birthplace of the Moslem faith. Indeed all are interwoven in their history. But as I left Jerusalem on that October evening and stood atop a tall building from which I could see the Church of the Crucifixion, Garden of Gethsemane, and in the distance the Dead Sea and Bethlehem, I was awed and overwhelmed as if I were looking upon the birthplace of history. While I actually was not, it is true that I was looking at the beginnings of modern history. Out of this humble, arid, unimpressive looking area has come the force that has made us what we are today.

As we look upon the events of the world since Christianity actually became the accepted religion of Rome, we must acknowledge a series of three cycles has occurred, indeed the third one is not yet completed and it is to this cycle we should turn. Starting with the first Christian Roman Emperor, Constantine the Great, we had a period of nearly eight hundred years which were marked by two struggles of a politico-religious nature. From northern Europe came the barbarians who had a form of religion but it was at most incidental to their warlike activities and conquering ambitions.

From the southern rim of the Mediterranean came the Moslems who ostensibly were activated by religious fervor but, also, whose power-mad ambitions were a big motivating factor. Between these two fierce forces, the decaying even though Christianized Roman Empire went into eclipse.

Christianity absorbed the Barbarians and eventually contained the Moslems who also went into virtual political decadence. Their adherents today however are numbered in the millions. My own observation is that their religion must have lacked a vital ingredient. This then, marked the end of the first cycle.

Let us now turn to the second cycle which I shall call the middle. Following the period of the "Dark Ages" we begin the Renaissance. The Catholic church became the dominant and leading force during this period. This was so because within the clergy was contained also those of learning, dedication and wealth.

With this background it was obvious that the Church would also become the dominant political force. Rulers were permitted to rule with "consent" of the Pope. But it should be said that this period which extended for roughly five hundred years, was one of exploration, development, learning and culture. Even as the Moslems had attempted to take their faith to all the world by conquest, so also did the Catholic Church attempt to take its faith to all the world. But the beginnings of the end of this cycle was evident (at least it is in retrospect) with the advent of the period of the Reformation. While the period of the Renaissance was one of great progress, here too, there was a definite lack of some necessary ingredient. What is it? I am not sure that I can explain exactly. Mostly it was (in my judgment) an advancing departure from the ruler-subject philosophy be it either of a political or religious base or combination of the two. Incidentally the modern application of Socialism in either Russia or China is basically a ruler-subject concept and for this reason an antiquated arrangement which will not have an extended life expectancy. It may, however, have been a necessary step from where they were to where the people want to be. As such though they represent two examples of carry-over from the Middle-Ages into the modern cycle.

I think we can fairly say that the beginning of the modern cycle began with the Reformation. The impact of this movement was of far greater significance than was apparent at the time. The establishment of the Church of England and the Lutheran movement on the European continent actually represented the great new impetus needed to carry forward the torch of progress which the Catholic Church had permitted to flicker and fade. But even so, the Protestant movements were so embedded in the traditions, customs and accepted patterns of their birthplace that they could not really escape the limitations of their own geography. The first real dramatic manifestation of this new or third cycle, came with the American Revolution. Here in a new, unprejudiced climate could this modern philosophy germinate, grow and eventually bear fruit.

However, among the founding fathers of our great Republic, there was probably not too much realization of the burden of the structure that would eventually be necessary to erect upon the foundation of the Constitution they so laboriously constructed. They were intent upon freeing themselves of the opprobious burden visited upon them by Britain. Being religious men as well, they also wrote into the Declaration and Constitution a blue print for the future so that they or their descendants would not emulate the mistakes of their predecessors. This then, was the reason why they insisted upon a strict separation of church and state. But even so, for the next one hundred and forty years, we were content to devote our energies to our own growth and development, eschewing temptations to involve ourselves in foreign entanglement. Then on that fateful night in Sarejevo, in 1914, an assassin's bullet set in motion a chain of events that was to change the whole course of history. After eventually entering the ensuing holocaust, and successfully assisting in ending it, we still regarded the war as another of the infrequent European ones; we did not realize it marked the end of kings, colonies and for us convenient isolation. But it did.

But now this third cycle has brought us to where we are and as I promised, I will try to point the way or as stated in the beginning "a long look down the road ahead." You may right now be saying to yourself, what is our Colleague trying to do? You may in all humility say, when I have concluded "the burden is not mine it must be for some one else"; but I say to you as Noah says in the play Green Pastures "I aren't very much but I'm all I've got." So from such a small nucleus as this Prayer breakfast group must come the catalytic power to bring about the predictions I am about to make.

At home, in other words with regard to the domestic issues, I predict that we will experience a period of social adjustment and thereafter relative peace will come within. The ghettos which are within our great cities today came about as a result of industrial growth, rural mechanization and a centrifugal force (social) that has gravitated those least prepared to fend for themselves into the center of this whirling vortex where as in the eye of the storm there is stagnation of social and cultural growth of momentary nature. We should and must deal with the problem but the best single substantive answer lies in education. We can change the material surroundings but unless there is a corresponding mental growth, we will have achieved very little. But we will rebuild our cities; we will to a large extent eliminate poverty and thereby create a more peaceful productive society. We have discussed in our meetings here the mechanics of how this will be achieved and they are important. My recommendation is that Congress proceed with the long range objectives and to the extent possible, avoid entangling ourselves with regard to short range ones in acrimonious demagoguery.

We have also discussed to a lesser extent our role in world affairs. Here again, the so-called under-developed nations of the world who compose the great majority of the

world's population, must be helped ultimately and permanently thru the medium of education. It will be the key for them to unlock the world's vast storehouse of knowledge—even as the Jews went to the storehouse of the Egyptians for grain. Our greatest single asset is "knowhow" but we must and will be motivated by Christian ideals. To be sure we have made mistakes but we had really no historical guidelines to go by. But believe me, the even greater gift we are giving to the rest of the world is the example we are setting. We are even now winning the war against Communism but let us not be deterred by this diversionary enemy from our greater goal which is literally to save the world from itself; and only we can provide leadership to do it. It will require all the tolerance, patience, and forbearance we have.

In conclusion I would like to dwell briefly upon a subject discussed in one of our recent breakfasts—which was the statistical evidence of lack of participation in our denominational religious activities.

This is indeed a serious threat for it can mean the churches are losing their appeal. In this area I predict that sometime in the near future, we will see a great clash between the clergy and officials of government. That out of this clash will come a realignment of duties and fields of endeavor for both that will eventually strengthen us. I am not a pessimist about our future but neither am I such an optimist that I would proclaim that there are no great problems and decisions in the future. But if you will pardon this reiteration "you are not only all we've got but you are also very much indeed."

Polish Millennium

EXTENSION OF REMARKS
OF
HON. JOHN M. MURPHY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 22, 1966

Mr. MURPHY of New York. Mr. Speaker, the Pulaski Memorial Committee of Richmond County celebrated the Polish millennium last week with a millennial mass at Notre Dame College on Staten Island, N.Y., and a millennial banquet later, attended by Americans of Polish extraction, as well as other members of our community.

Participating in the ceremonies were Rt. Rev. Msgr. Stanislaus J. Malinowski, pastor of St. Stanislaus Kosta Church; Rt. Rev. Msgr. John S. Felczak, pastor of St. Adalbert Church; Rev. Edward Dobransky, assistant pastor of St. Adalbert Church; Rev. Karl Doersan of St. Michael's; Rev. William Epps, pastor, St. Phillips Baptist Church; Roman T. Suwalski, chairman of the banquet; William Kosciow, president of the Pulaski Memorial Committee of Richmond County; Sigmund A. Grajewski, master of ceremonies; and Borough President Robert T. Connor.

Under leave to extend my remarks in the RECORD, I include my address at the millennial banquet:

Ten centuries have passed since Poland became a Christian nation with the conversion of Prince Mieszko in 966. Today, even under the yoke of communism, Polish Christianity lives on. It represents a thorn in the side of the Communists, for according to their ideology, religion is an opium of the people, unnecessary in the happy state of communism. This is one more instance where Communist theory fails in practice, with Poland a prime example of that failure.

Because the deep Christian commitment prevalent among Polish people is a blaring rejection of the Communist system, measures were taken by the Polish government to detract from the May celebration of their millennium. It scheduled mass political demonstrations and athletic contests during the period of religious festivities in order to draw away part of the crowds. It refused visas to foreign Catholic clergy to attend the millennium celebration in May, ostensibly because Polish Primate Stephen Cardinal Wyszynski invited them "without consulting the Polish government." The government also acted to curb the influx of tourists in general.

The Polish government did not, however, dare ban the celebrations altogether. This may be in part due to the Communist claim that this year marks the millennium of Poland as a nation rather than as the anniversary of its conversion to Christianity. It is more likely that they were apprehensive about the extent of protest that might result from such an extreme measure in view of the wide support of the Christian religion that exists in Poland.

The strength of the religious convictions of these proud people has not been altered by over twenty years of Communist rule. Their religion, the spirit of independence which they have continually demonstrated, the rebellion and hope in their hearts for freedom have proved inextinguishable, regardless of the atrocities to which these courageous people have been subjected in this century.

Today, the heartfelt sympathy of Americans is again being expressed throughout our nation for the Polish people who are under Soviet subjugation and enslavement. Today, especially, Americans are giving recognition to the indomitable spirit of the Polish people and their relentless pursuit of liberty. Today, especially, because this is the day we have set aside to pay homage to Brigadier General Casimir Pulaski, who donated his life to the American pursuit of liberty. This young man came to America to share in our struggle for freedom and independence, because, as he once said, "Wherever on the globe men are fighting for liberty, it is as if it were our own affair." Now that fight has become transferred to Polish soil, and we are moral-bound to lend our support to their struggle. Today, we rededicate ourselves to the eventual liberation of all the captive peoples on this earth. We express the hope that they will soon enjoy individual liberty and free participation in the community of nations.

The Oil Depletion Allowance—A Big Tax Loophole

EXTENSION OF REMARKS
OF
HON. HERBERT TENZER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 22, 1966

Mr. TENZER. Mr. Speaker, I have today introduced legislation to reduce the oil depletion allowance under the Internal Revenue Act and to impose a special limitation on the amount of the allowance where the proceeds are used to finance the taxpayer's expansion into unrelated fields.

On February 2, 1966, I addressed my colleagues on the question of budgetary cuts and new sources of tax revenues to finance our commitments abroad and our needs at home—CONGRESSIONAL RECORD, page 1981—I proposed a reduction in the oil depletion allowance. At that time I stated:

The present Internal Revenue Code provides for an oil depletion allowance of 27½ percent, which I am informed involves a revenue loss to the Treasury of $2 billion. This amount is greater than our projected budget deficit and exceeds our budgetary appropriations for the war against poverty.

The Ways and Means Committee of the House is now considering and the Congress will soon be called upon to vote on legislation to suspend the 7-percent investment credit provision of the corporate income tax laws and to revise tax laws relating to real estate depreciation. This would be the appropriate time to review our policy underlying the oil depletion allowance provisions of the tax laws.

The bill which I have introduced today would reduce the 27½-percent allowance to 20 percent over a 3-year period. The allowance would also be cut in half wherever the Secretary of the Treasury "finds that a substantial part of the savings derived by a taxpayer from the allowance of a deduction has been used, within 36 months after the close of such taxable year, for the taxpayer's expansion—by purchase, merger, consolidation, or otherwise, directly or indirectly—into an industry or other trade or business unrelated to the trade or business in connection with which the deduction under section 611 was claimed."

There are many loopholes in our Internal Revenue Code which should be closed. The oil depletion allowance loophole is one which should receive our immediate attention, particularly at a time when we are amending our tax laws to change provisions relating to real estate depreciation and the 7-percent investment tax credit. Why not also modify the tax credit provision for oil depletion allowances? If we do this we may be able to avoid an increase in individual income tax rates to meet the cost of operating the Government.

The following letter from Walter Minkoff of Rockville Centre, a constituent, illustrates how the small businessman is abused, by the abuse of tax laws by large oil companies which enjoy the benefit of oil-depletion-allowance tax-free dollars.

AUGUST 10, 1966.

Hon. HERBERT TENZER,
1708 Longworth House Office Building, Washington, D.C.

DEAR CONGRESSMAN TENZER: For your coming campaign, which I hope will prove successful, issues that are troubling your constituents certainly must be of interest to you. One such issue which troubles me and, I am sure, many small businessmen is the growing expansion of giant corporations into fields formerly the domain of small business. This may be a necessary evil in many cases which cannot legally or equitably be attacked. However, one type of company that is increasingly diversifying is doing so with

the help of Federal government policy. I refer to the oil and mineral companies who benefit from the oil and mineral depletion allowances granted them under present tax policies.

As I understand the principle of the oil depletion allowance, it is meant to provide tax relief to owners of wasting assets. This makes some sort of sense until 100% of the original investment is depleted. After that the laws allow the continuation of the allowance presumably as an incentive to further exploration. If the companies receiving this further allowance are simultaneously investing in other than oil producing businesses the government is unfairly subsidizing their entry into these fields to the detriment of the other companies in the newly entered field. My feeling is that the only equitable remedy would be to reduce the portion of the depletion allowance of diversifying companies that exceeds their original investment by the amount they invest that year in non-oil businesses. The effect of this should be to force these companies either to distribute these funds to their shareholders or to reinvest them in the discovery and production of oil as the law intended rather than use them as a subsidy in competing with small businesses.

One example of the type of invasion many small businessmen fear is the entry of Mobil Oil Company into the manufacture of paint for distribution through retail outlets. Many manufacturers and store owners fear that they eventually will use their existing outlets (stations) and credit card facilities along with almost unlimited resources for advertising and promotion to dominate this field which now is spread among thousands of small enterprises. Other examples like Gulf Oil in the motel business through Holiday Inns, Esso in fertilizers, Phillips in plastics, and Cities Service in a host of fields can be cited to emphasize the threat. I feel that this could be developed into a campaign issue that would bring support from the many small businessmen among your constitutents as well as other voters who instinctively dislike the spread of giant corporations into dominating positions in so many facets of our lives. From the limited discussions I have had with people in the retail paint trade to whom I sell I would think that many of the trade associations in these fields would favor such legislation if it were proposed.

If legislation to correct this inequity should seem impractical or undesirable for you to sponsor because of personal or political reasons, it seems to me that even under present law a taxpayer who feels that he has been damaged by this inadvertent subsidy of one competitor against another in fields Congress never intended to subsidize might sue to recover for the government or parties the sums wrongfully allowed these companies. Your comments on this would be greatly appreciated.

I hope that this excursion into the legal field by an ignorant but concerned layman is helpful if only as an indication of what concerns a constituent who wishes you many more enjoyable and productive years in Congress.

Very truly yours,

WALTER MINKOFF.

Mr. Speaker, in 1965, 22 oil companies had a combined total net income of $5,746,923,000. They collectively paid in Federal taxes the sum of only $360,008,000—an average tax rate of only 6.3 percent.

These same companies paid over $1 billion in taxes to foreign countries and some States taxes in the same year. Surely my colleagues will agree that this is a tax loophole which cries out for justice, justice to eliminate the discrimination against other corporate enterprises and individual taxpayers who are bearing their equitable share of the Nation's tax burden.

The small businessman of America, the worker, the farmer, the professional men of America, under our democratic system, all pay a much higher percentage of net income to the Federal Treasury than do the oil companies. Let us take a good, hard look at the reasons why.

Constitution Day

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1966

Mr. DORN. Mr. Speaker, many of our cities throughout the Nation did not officially pause to recognize Constitution Day, September 17. A notable exception was the dynamic, progressive city of North Augusta in my congressional district.

The mayor, the Honorable N. F. Manly, declared Constitution Day in North Augusta. The American Legion, commanded by Nathan Wolfe, arranged appropriate ceremonies commemorating the signing of our Constitution and paying homage to our Founding Fathers.

Everywhere I go in our great country people ask what they can do to help preserve and strengthen our Republic. Mr. Speaker, if every city and community in the United States would fly the American flag and properly observe our national holidays we would become more aware of our heritage and more determined to preserve it.

North Augusta, on September 17, set a good example for every community in America. Mr. Speaker, it was a great honor for me to make the principal address at the ceremonies in North Augusta, and under leave granted, I include my remarks at this point in the RECORD:

ADDRESS BY CONGRESSMAN DORN

Our Constitution was written by men who were personally familiar with terror, oppression and persecution. They were determined to have a written document which would guarantee representative Government, individual rights, personal dignity, and opportunity. They patterned our Constitution after the Christian concept of individual worth, individual dignity, individual importance and individual freedom. They were determined to provide for the American people a balanced form of government which would nourish property rights, opportunity, trial by jury and peaceful assembly.

The Founding Fathers who wrote our Constitution and its Bill of Rights were well versed in the past history of the world. They knew government from the days of Babylon through the Colonial Legislatures. They were dedicated to the proposition that to maintain our independence and freedom there must be a guarantee in the Constitution of States Rights. They believed that the best method of preserving individual rights was through States Rights and thus local and individual responsibility. They wrote the greatest document in the history of the world. The Constitution was the result of our successful American Revolution for independence.

Our forefathers endured invasion, torture, occupation and gave their lives for the cause of freedom. Today we must renew our faith in the individual. We must rededicate ourselves to the Constitution. We must work and labor as hard to preserve our Constitution as our forefathers who gave it to us.

I want to pay tribute today to the signers of the Constitution from South Carolina. Pierce Butler, Charles Pinckney, Charles Cotesworth Pinckney, and John Rutledge. They were great, noble and dedicated patriots.

SUPREME COURT

The guarantees of individual freedom and States Rights in our Constitution are threatened today at home and abroad. The unparalleled genius of our forefathers in creating in our Constitution the delicate balance of powers between the legislative, executive and judiciary branches of Government is being eroded and threatened by the Supreme Court. The Supreme Court in recent years has become a super legislature. Through its decisions the Supreme Court is writing legislation rather than interpreting the law. The Supreme Court is writing in substance, decrees which could become a blueprint for centralized Federal power over the lives of individuals, usurping freedom and paving the road to socialism and oppression. In one of its most recent decisions, rather than protecting the just and the fair, it protects the criminal, the lawless and those who would wreck our democratic society and free institutions.

Democracy, in order to survive, must be disciplined and must practice restraint. Those who love their country, those who are loyal and dedicated, those who discipline themselves must be protected by the Supreme Court. Law and order is necessary for the survival of freedom even in the "land of the free and the home of the brave."

The American people can preserve the balance of powers created in our Constitution by a concerted effort to have men appointed to the Supreme Court who have judicial experience, men who are dedicated to the law, to our Constitution and to our free institutions.

Congress can and must set the qualifications for appointment to the Supreme Court. Congress must set high standards for appointment and reject legislation which would result in unwarranted usurpation of our rights by the Supreme Court.

EXECUTIVE

The Executive Branch today has joined the Supreme Court in usurping the Constitutional rights of the American people. The Executive, since depression days, has gradually—slowly, but surely—whittled away the rights of the States, communities and individual freedom.

The individual today lives in constant fear of harassment and intimidation by an ever-growing, ever more powerful government with overstaffed executive agencies, boards and bureaus, created by the Executive department. The executive Department reaches into the State Capitols, into local communities and into the homes of our people. This is a growing menace.

Dr. Galloway of the Library of Congress, in a recent book said that 90 percent of all rules and regulations, with the full force and intent of law, were not written by Congress, but instead were written by the departments and agencies of the Federal Government. Interpretation today of laws by un-elected

officials have the effect, in many instances, of Roman decrees over the lives of our people.

The Executive Department of the Federal Government today is the most powerful in the entire world. The framers of the Constitution never intended for the Executive Branch to hold such awesome power over the individual lives of the American people. This usurpation of power by the Executive Branch has been the monopoly of no one group or political party. This trend has been constant since the late 20's. The great danger in excessive power wielded by the Executive Branch or the Supreme Court is that the power of Congress will be destroyed, thus usurping the freedom of the individual.

The American people, through their Congress, can and must regain control over the ever-growing and ever more powerful agencies and departments of the Federal Government.

CONGRESS

The framers of the Constitution intended that Congress be the cornerstone of our entire form of government. The Congress is created immediately after the preamble to the Constitution. The first article in the Constitution creates the Congress with a House and Senate. In the Constitution the House of Representatives comes first elected every two years.

The preservation of individual liberty and property rights in our Country today is largely dependent upon the Congress and particularly the House of Representatives, elected every two years. A Constitutional amendment which would provide for a 4-year term for the Members of the House of Representatives would remove the House of Representatives one step further from the people and closer to the Executive, and more so if the House of Representatives was elected concurrently with the Executive. We should preserve our constitutional right to elect our representatives for the House every two years.

Already one out of every four dollars we earn is taken by the Federal Government. Already it is virtually impossible for the individual to reach high government officials and extremely difficult to obtain redress for wrongs and errors through bureaucracy. It is necessary that the House of Representatives continue to be elected every two years if our form of government as envisioned by the Founding Fathers is to be maintained.

Congress must consider legislation in the cool, calm and deliberative atmosphere of "Capitol Hill"—not under the Damoclean sword of the Executive or the Supreme Court. Congress must legislate for the people, not for the Executive or for the executive agencies and departments.

Congress itself must police its own membership. Congress must reverse the trend of permitting huge campaign expenditures. Congress should set up a grievance committee similar to those of the American Bar Association. Congress must adopt a code of ethics for its Members and adhere to that code.

PRIVATE ENTERPRISE

Our Constitution, as written by the Founding Fathers, has made it possible for America to become the arsenal of democracy—the heart and core of the Free World. Our Constitution, with its guarantee of property rights, has made it possible for the American people to have the highest standard of living of any country in the history of the world. We have more television sets, more radios, more automobiles, more daily circulation of newspapers, more of the material goods than all the rest of the world combined. And more importantly, we have the best school system, more churches, more libraries, more hospitals than all the rest of the world combined.

Our capitalistic system, with its profit motive, has provided the incentive for America to prosper and grow. That prosperity is fighting disease, poverty and unrest in South Viet Nam and in the undeveloped areas of the world.

Under our Constitution our forefathers created out of the most undeveloped area in the world the most highly developed civilization in history. That same Constitution and that same philosophy applied to the undeveloped countries, could have the same result.

SPACE AGE

Basic fundamental principles of individual liberty, of freedom and justice are the same "yesterday, today and forever."

There are those who say that, in this age of astronautics and space exploration, there is not time to consult the representatives of the people, that there is not time for the individual. In this age of growing competition and tensions, there is more need for emphasis on the individual than ever before. We can conquer space only if that individual who goes into space is self-reliant, can think for himself and knows that he represents a philosophy and a society dedicated to the cause of freedom and individual liberty.

The Constitution, with its emphasis on the individual, is being challenged in the blood, the filth, the mire, and the monsoons of a faraway distant land. The Constitution of the United States is clashing today in South Viet Nam with the atheist communist aggressor. The forces of totalitarianism which would destroy our Constitution and subvert the individual to slavery are on the march in Southeast Asia. We will not withdraw. We are committed to the cause of freedom in South Viet Nam and rightly so. We will win!

With victory, the Constitution with its guarantees of trial by jury, property rights and individual liberty, will become more real, not only to the American people, but to people the world over.

A Guaranteed Minimum Income for All, Whether They Work or Not, Is Now a Definite Threat

EXTENSION OF REMARKS

OF

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1966

Mr. FISHER. Mr. Speaker, can it be that this proud Nation is on the threshold of surrender to the apostles of total welfarism? Are we, here in the land of pride and self-respect, about to adopt as a way of life a policy of rewarding the drones, the lazy, and the shiftless? Have we degenerated to the point that our Government will soon be saying: "Never you mind about working, about saving, and planning for your future. Don't be stupid; just remember that come what may, Uncle Sam will take care of you." Whether realized or intended, these are some of the byproducts of a new welfare bonanza now being pushed.

I am speaking of a Government-guaranteed minimum income for all Americans, whether they work or not.

There are those who will say this is sheer fantasy—that perhaps someplace, but never in America, can that happen. After all—some will say—this is a land made great by the indomitable spirit of the pioneers—where the hard core of our character and strength has always been nurtured and sustained by honest toil.

But, Mr. Speaker, the danger I am speaking of is not a fantasy. It is real, and it is imminent. Let us see what the record shows:

In his Labor Day speech in Detroit, the President said:

> You and I have another goal. We know that the America we dream of must be an America where every citizen can earn a guaranteed annual income sufficient to meet his basic needs. I pledge you that we will not forget this goal.

It will be noted that the President did not spell out the specifics of his goal and how it is to be accomplished. Perhaps that will come later. A good many in the administration have embraced the idea and spelled it out in some detail.

A feature article, written by the highly respected journalist, Allen L. Otten, which appeared in the September 15, 1966, issue of the Wall Street Journal, began thus:

> The Johnson administration is becoming increasingly intrigued with a far-reaching new goal: Ending poverty via a Government guarantee of a minimum income for every American family.
>
> Vietnam-induced budget strains and Johnsonian political caution are ruling out a direct frontal approach, however, in favor of a more gradual sneaking-up on the objective.

Instead, Mr. Otten anticipates a series of smaller moves to be unveiled in next January's legislative program and budget, to patch up and fatten up existing Government programs that head in the same direction: bigger social security benefits, a modest expansion of public-assistance coverage and payments, more rent supplement money and other subsidies for low-income families, and more public employment for poor people who cannot find private work.

The analysis continues:

> Year by year, the theory goes, benefits under these and other programs would be increased, and more and more poor folk would be given some sort of help. A few years hence, it's figured, almost every needy family would actually be getting enough government help to rise out of poverty. Thus the end result would be much the same as that of the negative income tax and kindred schemes.

A White House aid is quoted by Otten as saying:

> There is a definite desire shaping up—you might almost say a consensus—to try and make some sort of payment based on the fact that a person is poor and can't seem to do anything about it. The question is just how best to reach that system, and how fast.

WILL CONGRESS BUY GUARANTEED MINIMUM INCOME FOR ALL?

Thus it is reasoned that while the administration is intrigued with the direct payment scheme as a permanent policy of lifting all families above the $3,000

poverty level, cash handout for no work at all would be difficult to sell to a Congress that represents a work-oriented society.

Now, Mr. Speaker, notwithstanding the hesitation, the direct method is not to be ruled out in favor of the softer touch, in approaching the goal of a total welfare society. The negative income tax and the guaranteed minimum income—whether the recipient works or not—has gained many converts among the labor-socialist element in our society.

It is apparent that this administration has for some time projected trial balloons in a number of undisguised efforts to soften the public and the Congress, and prepare the way for a mammoth breakthrough. The probing and testing process continues.

This technique of noiseless gradualism in achieving otherwise unacceptable schemes, by spoonfeeding the public in driblets, thereby gradually gaining acceptance, is nothing new. Many highly suspect programs have gained acceptance in that way, aided by the pouring of additional Federal funds, f.o.b., into communities as a special inducement.

This softening technique was well described by the poet, who put it this way:

Vice is a monster of such frightful mien,
As to be hated needs but to be seen;
But seen too oft, familiar with its face,
We first despise, then pity, then embrace.

HIGH-LEVEL SUPPORT

Mr. Speaker, I have said the architects of this superwelfare dream have sent up trial balloons to test public acceptance. Let us explore what has been done and be more specific:

A report by the Advisory Council on Public Welfare, a 12-man panel of non-Government experts, 2 years ago, contended it is senseless to talk about eliminating poverty without the minimum income concept. This assurance of a minimum level of income and social protection is absolutely essential, reports the council, in order to maintain "a basic floor of economic security for all Americans."

A National Commission on Technology, Automation, and Economic Progress, appointed by the President, called for a "minimum-income allowance" or a "negative income tax" program.

Persons with incomes below a given level would, according to the report, "receive a tax rebate or a cash allowance, just as persons with incomes above exemption levels pay taxes."

The council estimated the cost at from $2 billion per year, with some versions costing up to $20 billion.

Early this year this grandiose welfare-state approach got an approving nod from Capitol Hill when a committee report from the 150-member House democratic study group demanded that Government "begin to provide a minimum income for everyone."

Here is one description of how a negative income tax would work: Require a report on income of all families, no matter how small or if they have no income. Then, for those with income under a "poverty level," send a monthly check from the U.S. Treasury to assure a minimum income.

It has been estimated that if the goal is to raise all incomes to a minimum of $3,000 annually, the cost per year would be about $12 billion—to begin with. If the minimum should be raised to $4,000, the cost would jump to $25 billion. At $5,000, it would be $40 billion. This reminds that Joseph Stalin once quipped that the United States was the only nation in the world rich enough to afford socialism.

It would thus seem clear that this proposal, fantastic as it may sound, is the ultimate of the great welfare society. Let us see who some of its supporters are.

Sargent Shriver, Director of OEO, embraces the negative income tax. He would turn the income tax system into a wondrous handout for all making below $3,100 a year. A scheme to take from the haves and give to the have-nots.

Thus we have a man high in the councils of Government, plugging for a dole, with no strings attached—an undisguised wholesale handout.

But Shriver's brainstorm is not without high-powered support. Take Milton Friedman, the well-known economist of the University of Chicago. His plan is a bit more modest. This professor proposes that the Federal Government set a $3,000 yearly income as a minimum for a family of four, and pay a man 50 percent of the difference if he falls below that figure; to give him 100 percent, reasons Friedman, would deaden his incentive.

The guaranteed minimum income is espoused by Columbia Social Work Prof. Richard Cloward. He disdained the stigma of welfare, which somehow he seems to think would be erased if the handouts are bigger and a part of a glorified guaranteed income scheme.

To achieve this, Cloward has called for crisis and disruption—which he feels could happen if millions of the poor would be directed to claim all the benefits to which he says they are entitled under existing programs. The professor maintains this would so overload welfare rolls that Congress would have no choice but to enact a guaranteed minimum income.

Listen to this: A section of an economic report by the President's Council of Economic Advisers, headed by Gardner Ackley, said the negative income tax "could be administered on a universal basis for all the poor and would be the most direct approach to reducing poverty."

Walter Reuther, of AFL-CIO, has given minimum income for all his warmest blessing. That labor leader's past record shows him to be no piker when it comes to redistribution of the wealth by taking from the haves and giving to the have-nots.

Early this month the idea of a government guarantee of a minimum income for every American family was endorsed by Harvard economist Kenneth Galbraith, supported by New York Mayor John Lindsay.

WHAT WILL THE PRESIDENT RECOMMEND?

Mr. Speaker, I have cited some of the more prominent people who have embraced this monstrous scheme. And I have cited the recommendations of blue ribbon commissions—one appointed by the President and another by the Secretary of Health, Education, and Welfare. In addition, most of the more radical civil rights leaders have grabbed the minimum income idea and put their brands on it.

It now remains for the President to translate his commitment into action. Is the President prepared to risk the "bold new direction" by unfolding the minimum income approach and ask the Congress to approve massive cash handouts to people for no work at all, merely to make the recipients less poor? Is that what the President has in mind?

The alternative will presumably be to continue the nibbling process, by extending and expanding existing programs, and feeding new ones into the legislative hopper as they are hatched out by the social planners. This method has been remarkably successful under a subservient Congress during the past 2 years. Under it, the administration has added increment after increment to a universal minimum income through Federal handouts.

SPENDING MONEY HAS NOT REDUCED RELIEF ROLLS

Certainly the multitude of so-called antipoverty projects, along with scores of WPA-type make-work and other programs—costing billions—have utterly failed to reduce the welfare load.

The fact is that despite the 30 years of social legislation, capped recently by the most generous spending schemes in history, the welfare rolls continue to grow, faster than ever.

There are now 7,400,000 Americans on public assistance—or a 42-percent increase since 1950, and that tells but a part of the story. As the Government has produced new welfare approaches, more and more people manage to qualify. In many instances new ones have served to encourage illegitimate children in order to qualify for bigger welfare checks.

A news report from Los Angeles tells of a married couple which came to a judge to discuss a divorce. They had six children and another on the way. They were still devoted and after questioning they confessed the only reason for a divorce was to qualify for welfare money. They explained that once divorced, the mother would become eligible to draw $300 per month in welfare. The father was making only $250 a month at his job.

There was a time, within the memory of many now living, when normally welfare burdens were borne locally. But that solution has become old-fashioned. Political harvests were to be reaped by channeling Federal funds into the slums and ghettos, thereby relieving much of the traditional local responsibility and shifting more dependence upon the great white father in Washington.

Already this course of action has exposed many ingrates. Having had a taste of Federal and local goodies, the press reports many able-bodied recipients mouthing hatred and defiance because they are not getting enough. They insist the Government is short-potting them.

Thus a new segment of the great welfare society has evolved, making the receiving of handouts a way of life for them. Many of them insist on traveling first class.

Walter Reuther has been pushing hard to get this class of our society to organize in order to bring greater pressure in favor of more Government help. The Ford Foundation has tossed in a few million to help the cause, according to the press.

Organizing the poor is already taking place. Only recently several thousand reliefers, in a protest against the "indignities" of the present welfare system, marched on city halls and State capitols in scores of cities throughout the country.

Earlier this month relief customers in 19 cities from Los Angeles to New York demonstrated, simultaneously, under directions from a new group in Washington, D.C., called the Poverty-Rights Action Center. The have-nots—their appetites whetted by handouts and solicitude aplenty—are organizing. They insist that relief is now a matter of right, and many of them now insist they be consulted about the quantity and quality of what they get.

THE GRADUAL SNEAKING-UP TECHNIQUE

I have said that if the President does not shoot for the moon in the friendly skies of zooming welfare by trying to sell the minimum income concept to the next Congress, he is expected to continue the programs now in effect, plus a few new ones. Among the many "gradual sneaking-up" projects which were "first despised, then pitied, then embraced," have been a score of blank-check antipoverty schemes, along with such ventures as compulsory medicare—for the millionaire and pauper alike—food stamps, rent subsidies, a vast expansion of unemployment insurance, plus an array of specials to deal with "pockets of poverty."

All of these goodies have created a veritable administrative nightmare, featuring confusion, waste and duplications unsurpassed. It can be said categorically that never in history has so much authority and discretion in spending the taxpayers' money been delegated by the Congress to executive agencies. It opens a Pandora's box for favoritism, incompetence, waste and extravagance.

This is not to say a modicum of good has not come from some of these antipoverty practices. By spending enough, orchids can be made to grow at the South Pole. The issue is not whether society should aid the poor and unfortunate. All right-thinking Americans favor that. It is a matter of methods and the area of responsibility.

So often in the hands of overambitious bureaucrats, with loose-end or no guidelines, 10-ton trucks are employed to do the work of half-ton pick-ups. Evidence is mounting of million-dollar prices being paid for thousand-dollar remedies. For example, nearly $10,000 is paid to train one drop-out Job Corpsman for 1 year. Yet, since the money comes from Washington, the bewildered public grudgingly goes along.

It is believed most people whose tax money pays the bills would prefer that all relief be initiated and fully administered by local people on the local level, with outside help to deal with extraordinary situations. Many local charity requirements can, and should be, shared by local churches, Red Cross, Salvation Army, community chests, and scores of other time-tested and respected charities.

But since widespread poverty was formally discovered in this country some 3 years ago, the millions of Americans found out, for the first time, that they were economically sick, a variety of magic treatments sprang up overnight. Political medicine men were recruited, and the Congress was asked to foot the bills, costing billions, for prescriptions never before heard of.

A hasty review of some of these more ingenious concoctions is revealing. A multibillion-dollar program for depressed areas soon became discredited by waste and favoritism, was dropped and then continued.

A $1 billion glorified 12-State depressed area project for Appalachia superimposed upon a dozen others, was rammed through the Congress.

A $100 million food stamp program was approved. This year $140 million was authorized. A supermarket reports the best grades of beef and the most expensive grocery brands are sold to food stamp holders. The program, which has good points to recommend it, has built-in devices for abuse and favoritism. In the face of rather obscure guidelines to determine eligibility, there is no way to estimate how many deliberately avoid work or other means of self-improvement, lest they lose eligibility for stamps.

A unique program to have the Government pay part of rent bills for selected lower income people, was rammed through the Congress accompanied by unprecedented arm-twisting. The cost—if continued and expanded, as expected—will run into the hundreds of millions of dollars, and will dull the desire for homeownership. At the same time, these rent supplements are urged by Robert Weaver, Secretary of Housing and Urban Development, as a device to force integration in middle-income neighborhoods. Some call it "integration by scatteration."

Another administration favorite device to force more money—Federal and otherwise—into lower income brackets, is an expanded unemployment insurance package.

Not content with coverage for those who lost jobs due to no fault of their own—as practiced in many States—a joint administration-AFL–CIO drive is being waged to wipe out State controls, apply liberalized Federal standards, and pay high-level compensation for up to 52 weeks, even when the unemployment is voluntary.

As proposed, the plan would ultimately cost Texas employers, alone, an additional $100 million annually in unemployment taxes. The plan would create a massive welfare program out of joblessness. It would treat the loafers and the lazy the same as the deserving. It would allow unscrupulous claimants to make a racket out of jobless benefits.

These and other welfare bonanzas, approved or pending, costing billions, have been advanced despite the warnings of creeping inflation induced by repeated annual deficits.

Finally, however, the stark reality of inflation is being belatedly recognized. At the present rate of consumer price increase, today's dollar will dwindle to half its present size in 14 years.

Only recently the President called for certain brakes against inflation, including a $3 billion cut in his programs—without specifying which he would reduce or eliminate. Some of his advisers are said to prefer a tax cut. But a long series of deficits having admittedly helped to bring on more inflation, one or two spending cuts, plus a tax cut, can hardly be expected to immediately affect accumulated pressures, to any noticeable extent. Inflation is an obstinate, vicious thing which cannot be turned on or off like the water in a hydrant.

PEOPLE MUST BE INFORMED

Mr. Speaker, to help finance these programs the Congress has spent $36 billion more than was taken in during the past 6 years, and has upped the public debt to nearly $330 billion. And now some people wonder why we have inflation.

In the face of these developments, a costly minimum income for all is being weighed in the balance. Surely the President will not want to add to future deficits while a war is being waged and he is asking for cuts in his programs. And surely the Congress will not want to saddle the American people with more welfare burdens.

The people know that sending out Federal checks will not stop poverty. They know that the only real answer must come from work—creative, productive work. And the Government can render its most useful assistance by pursuing policies which encourage business development and more job opportunities, in the framework of competitive free enterprise.

There are many people in this country who, if given the opportunity, would emphatically endorse the thought contained in this expression of Abraham Lincoln.

You cannot permanently help a man by doing for him that which he can and should do for himself.

The proposed guaranteed minimum income for all Americans regardless of whether they work, must be thoroughly understood by all and then appraised in the light of the probable effects such a changeover would be calculated to bring.

The people must face up to the matter of whether they want to underwrite a new exclusive society composed of wards of the Government. And the people must reckon with the vulnerability of this new class to the rantings of vote-hungry politicians throughout the future—pitting the have-nots against the haves.