over the last 10 years. I am informed in 1958 there was a 10-percent increase in Federal salaries; in 1960, a 7½-percent increase; in 1962, a 7-percent increase; in 1964, a 5-percent increase, ranging up to 21½ percent; in 1965, a 3.6-percent increase; and in 1966, a 2.9-percent increase which, when the cost of living is considered, was almost no increase.

All of these increases including 1958 and 1960 of the Eisenhower administration add up to 36 percent—or if you take an average of the sliding scale raise in 1964, it would bring the total percentage up somewhat, but that would not be applicable to the lower paid Federal employees.

To compute pay raises on the basis of compound raises would indeed be a little unusual when you consider promotions, and so forth.

Mr. President, also it is difficult to reconcile a 75-percent increase in group life insurance coverage when under current law the maximum amount of insurance is $20,000 and has not been changed since the law was passed in 1954.

Mr. President, I am proud of the group life insurance law passed in the 83d Congress. It has been a blessing to the Federal workers and to all segments of the economy. I am sorry the President has seen fit to veto H.R. 11089, which I sincerely believe would have made the group life insurance law a better law and would have put it on a sound actuarial basis.

ORDER FOR RECOGNITION OF SENATOR MANSFIELD TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that tomorrow, immediately upon the completion of the speech by the distinguished junior Senator from Minnesota [Mr. MONDALE], for which a previous order has been entered, the distinguished majority leader, the Senator from Montana [Mr. MANSFIELD], may be recognized for not to exceed 20 minutes.

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

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate today, I move, in accordance with the order entered on Monday, August 14, 1967, that the Senate stand in adjournment until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 10 minutes p.m.), the Senate adjourned until tomorrow, Wednesday, August 16, 1967, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 15, 1967:

U.S. ATTORNEY

William A. Meadows, of Florida, to be U.S. attorney for the southern district of Florida for the term of 4 years (reappointment).

U.S. MARSHAL

Guy W. Hixon, of Florida, to be U.S. marshal for the southern district of Florida for the term of 4 years (reappointment).

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 15, 1967

The House met at 12 o'clock noon.

Rev. James D. Foy, Asbury Methodist Church, Washington, D.C., offered the following prayer:

Our Heavenly Father, we thank Thee for our national heritage of freedom, justice, and equality. May we, of this generation and day, so live, and serve that the high ideals and noble principles upon which our Nation was founded shall become a living reality for all who live in this land of liberty. Touch and raise up, O Lord, in the Legislative Halls of our homeland, a glorious company of apostles of truth, justice, and equity. Give Thy servants the prophet's scorn of tyranny, and a Christlike tenderness for the downtrodden and heavy laden. Grant us the vision, the integrity of soul, and the strength of will which enable men to place the welfare of others and the security of their country above selfish ambition. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 95. An act for the relief of Capt. Rey D. Baldwin.

PERMISSION FOR SUBCOMMITTEE ON IRRIGATION AND RECLAMATION, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, TO SIT DURING GENERAL DEBATE TODAY

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Irrigation and Reclamation of the House Committee on Interior and Insular Affairs may be permitted to sit during general debate this afternoon, and in making that request may I state, Mr. Speaker, that this has been cleared with the minority side.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, more than 100 years ago Henry David Thoreau wrote, and I quote:

> Let every man make known what kind of government would command his respect, and that will be one step toward obtaining it.

In recent weeks, your Committee on Standards of Official Conduct has been making every effort to get representatives of nationally known professional and civic organizations to come forward with their ideas for a code of standards for the conduct of Members of the House and House employees. The response has been disappointing.

Fortunately, the response has not been all negative. A few such organizations have accepted our invitations to offer testimony, and the committee believes it has some meritorious witnesses scheduled for open hearings August 16 and 17. The committee invites all Members of Congress to hear them.

My real purpose in addressing you, however, is to alert the membership to hearings which the committee has scheduled for August 23 and 24 to receive testimony and statements from Members of the House. A letter of invitation has gone out to each Member. I respectfully ask Members to let me or the committee staff know of their desires in this connection.

Further, I should like to assure this body that the committee is moving with all reasonable speed. It has met at least once a week since it was constituted, with the exception of the week of the Fourth of July recess, and is determined to have its recommendations ready for the House later this session.

PERMISSION FOR SUBCOMMITTEE NO. 5, COMMITTEE ON THE DISTRICT OF COLUMBIA, TO SIT DURING GENERAL DEBATE TODAY

Mr. SISK. Mr. Speaker, I ask unanimous consent that Subcommittee No. 5 of the Committee on the District of Columbia may be permitted to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. HALL. Mr. Speaker, reserving the right to object, and I hope I shall not have to object, I presume that this has been cleared with the minority side?

Mr. SISK. I have cleared this with the gentleman from New York [Mr. HORTON], who is the ranking minority member of the subcommittee.

Mr. HALL. And he is the ranking minority member?

Mr. SISK. That is right.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. SISK]?

There was no objection.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON ELECTIONS OF COMMITTEE ON HOUSE ADMINISTRATION TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Elections of the Committee on House Administration may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON BANK SUPERVISION AND INSURANCE, COMMITTEE ON BANKING AND CURRENCY, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Bank Supervision and Insurance of the Committee on Banking and Currency may be permitted to sit during general debate today, August 15, and also August 16.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. HALL. Mr. Speaker, reserving the right to object, would the gentleman amend his unanimous-consent request so that we do not yield, depending the calendar on this, in advance of today? I have no objection, because I know the distinguished majority leader——

Mr. ALBERT. Mr. Speaker, I withdraw my request for permission to sit after today. I limit the request to today only.

Mr. HALL. I thank the gentleman, and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ALLEGED ATROCITIES BY ISRAEL

Mrs. KELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, it has been reported that the Student Nonviolent Coordinating Committee in its newsletter accused Jews of committing atrocities against the Arabs. The attack reportedly utilizes a blurred photograph and alleges that the photograph represents Arabs lined up by Zionists and shot in cold blood.

A cartoon in the newsletter reportedly depicts Defense Minister Dayan with dollar signs on his shoulders. Other vicious anti-Semitic cartoons were also reportedly published.

The newsletter reportedly charged that Israel segregates Arabs within Israel; that dark-skinned Jews from the Middle East are discriminated against in Israel and that Israel is an illegal state.

Our State Department has indicated that there have been no massacres; that, on the contrary, there have been attacks against peaceful Israel citizens by Arab infiltrators; that Israel actions during the recent hostilities resulted in the loss of few Arab civilian lives; that the Arab population of Israel has freedom of movement; that Arabs may join primarily Jewish organizations, such as the Histadrut Labor Federation; and that the SNCC statement is not focused on recent events but drags its misrepresentations back to the period before Israel attained independence.

It is clear that SNCC has adopted the pro-Arab Soviet lines in making this anti-Semitic attack.

Soviet anti-Semitism needs no documentation. Reports of its recent resurgence are overwhelming. In this connection, it is noteworthy to point up the coincidence of the presence of Stokely Carmichael, the past chairman of SNCC, in Communist Cuba just prior to the publication of this anti-Semitic tome by SNCC.

Mr. Speaker, this article is nothing more than an attempt to apply the blame for the problems facing the Negro to the shoulders of the Jewish people. Thus, the civil rights movement is compromised and the Jewish people are blamed for the conditions that so many of them have sought to alleviate.

PATRIOTIC DEMONSTRATIONS IN SUPPORT OF OUR WAR EFFORT

Mr. ROUDEBUSH. 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 Indiana?

There was no objection.

Mr. ROUDEBUSH. Mr. Speaker, in time of war the paramount aim of our Government should be total, unmistakable, and demonstrative support for the American fighting man in the field.

I regret to report to the Congress today that I have tragic proof that our soldiers, sailors, and airmen are not receiving this support.

And, furthermore, the war policy of this Government is concerned with the political considerations rather than unqualified concern for the morale of our men in the field.

I have obtained a copy of a Navy order to all naval district commanders ordering them to refuse participation in patriotic demonstrations in support of our troops in Vietnam.

This is an incredible document and I wish the Members of Congress to hear the pertinent section of this order, which follows:

> The recent anti-Vietnam policy demonstrations conducted throughout the country have produced reactions by veterans and patriotic groups in several areas. Rallies and parades are being staged by these organizations for the specific purpose of off-setting the peace rallies. Navy participation, such as speakers, bands and marching units, has been requested in a number of instances and can be expected to be requested in any future counter-demonstrations organized by these well-meaning groups. In view of the political implications of this particular category of demonstrations, Navy support would be inappropriate.

I hope very much that immediate consideration be taken to rescind this order. I think that refusal of naval groups from participating in parades held by the Veterans of Foreign Wars, the American Legion, and other veterans groups is not in the best interest of this Nation.

WORLDWIDE FACILITIES FOR SPREAD OF ANARCHY?

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, yesterday, the President submitted to the Congress a world communications message placing upon the Great Society the responsibility to provide, not a chicken in every pot, or a car in every garage, but rather a television set in every home from the darkest regions of the Congo to the barren wastes of the Antarctic.

This latest message seems incongruous in view of the President's request for a tax increase. I recall he asked Congress not to spend more money while the executive branch is trying so hard to cut expenses.

I cannot help but wonder what kind of programing will go out over the new global communications system—Intelsat—referred to in the President's message. The Rap Browns and the Stokely Carmichaels have been exposed to millions of TV viewers in our own country with their message of hate and insurrection. Does the President believe it would be a public service to provide them with worldwide facilities to preach their brand of anarchy?

PRESS ATTACKS UPON THE CONGRESS OF THE UNITED STATES

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, I have always hesitated to criticize the press of this country, recognizing that if one is in politics, one usually cannot win. But I see each year more irresponsibility evidenced in the press of our country. I think that when there is an attack made upon the Congress of the United States, it is up to us to refute it and to have something to say about it.

I have asked for this time to comment upon a statement in an editorial in the Washington Post this morning in relation to the anticrime bill. I recognize that the Post has differing views than I

do as far as the bill, and that is perfectly proper. I recognize their right to disagree with what I think is right and what the House thinks is right. I recognize they have a right to comment as vigorously as possible, but when they make irresponsible statements I think it is about time for Members of the House to take issue with the Washington Post and any other newspaper that might make similar statements. The statement is this:

Underlying the action of the House was a feeling that its Members are afraid of Attorney General Clark, afraid that if he has control of the funds, he will force local police forces to obey the Constitution in fighting crime.

I believe inherent in that statement are two grave misconceptions. One is that local police forces are, in fact, violating the Constitution; and, second, that the Congress of the United States not only approves the violation of the Constitution by local police forces but refused to pass the crime bill as it was put before the House by the administration because we do not want the Constitution enforced.

I can only say that whoever wrote this editorial wrote it as a result of a complete lack of knowledge of what was in the crime bill and what was in the amendment, or with a direct intent to harm the prestige and image and character of the Congress of the United States.

An overwhelming majority of the House of both parties supported the legislation.

The Post has done a disservice to the House in suggesting such base and unfounded motivations.

MY PROFLIGATE UNCLE

Mr. BROWN of Ohio. 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 Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I have received, and would like to share with the House, a poignant letter from a young constituent who presents an unusual personal problem for my consideration. I should like to ask the advice and assistance of the House in dealing with this matter.

While I cannot vouch for the originality of this problem, I see in it a statement reflecting the situation and concern of millions of American citizens.

The letter is as follows:

JULY 26, 1967.

Congressman CLARENCE J. BROWN, Jr.,
Washington, D.C.

DEAR SIR: I have a dependent relative who has very little fiscal responsibility. He means well, but he keeps buying presents for my parents and men, charging them to our account!

When he sees something that he thinks we might need, he buys it and we have to pay. These things are rarely what we'd have bought ourselves. Because he doesn't work for a living, money doesn't mean much to him. He is generous to the poor and needy, with my money—and gives to the unworthy too.

We just received a bill for his last spending spree, and it gives me a sick, hopeless feeling. How much better things would be if we could spend our own money for the things we want!

He won't listen to me, but he will listen to you. Please, please use your influence to cut the spending habits of my Uncle Sam.

Truly yours,

REIMUND MANNECK.

LONDON, OHIO.

THE PRESIDENT'S MESSAGE ON COMMUNICATIONS POLICY

Mr. STAGGERS. 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 West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I will not use the 1 minute, but I do want to commend the gentleman from Florida for the remarks that he just made and join with him in what he had to say. We hear so much these days about all of this turmoil which is taking place. We also had a message from the President yesterday on the long-range communications program in order to bring people of the world together in a better understanding. I recommend the reading of this by every Member of Congress, because I think it is something we all need to study and look at very carefully.

We hear these days mostly about the immediate crises that confront America, and we consider carefully our Government's responses to these crises at home and abroad. It is important at a time such as this, however, to note that the long-term work of Government goes on as well, and that we are pursuing the bold new initiatives that will build a better world.

It may well be that when the history of our time comes to be written, the most significant American actions will be those that avoided the possibilities of future crises, rather than those that coped most intimately with crises that already existed.

I believe that the President's message on communications sent to the Congress yesterday afternoon is such an action—highly significant in its potential for building a safer and more harmonious world. As the President points out:

Nations, like individuals, fear that which is strange and unfamiliar. The more we see and hear of those things which are common to all people, the less likely we are to fight over those issues which set us apart . . . The challenge is to communicate.

The President's message outlines our Government's policies in dealing with the new benefits available from the advent of the communications satellite. Working closely with Members of Congress, the President has redefined, reshaped, and restated American international communications policy so that no American effort will be spared to support the worldwide satellite communications system—Intelsat; the Soviet Union and the nations of Eastern Europe may join with us in Intelsat; and we will give further detailed study to a review of our own domestic communications policy.

I commend this message to your attention, and hail it as an important step toward a more peaceful world.

A SPECIAL ORDER ON RATS

Mr. RESNICK. 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 New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, the great majority of American people still do not believe that the Republican Party laughingly rejected the President's program to eradicate rats and all the disease, injury, and terror that they bring to our slum dwellers.

Two weeks ago, after I denounced the vote and statements of the Republican Party on this bill and especially the comments of the gentleman of Iowa, the gentleman from Iowa rose to defend his vote and statement. I hesitated answering him for, knowing the rules of this distinguished body and not wishing to violate them, I would have been forced to suggest that the gentleman from Iowa has put himself squarely on the other side of this issue—namely, the side of the rats—and I am sure the distinguished gentleman from Iowa would not really want to leave that impression. Regrettably this is the impression that he left. For he said that he knew he was on the right side of this issue because President Johnson and I were on the other side. This is a complex exercise in logic because the question is: How could you not be against rats without being for them? It appears that the gentleman from Nebraska has this very same problem. And so, this afternoon, in a special order, I hope to address myself to the terrible dilemma that the gentleman from Iowa and the gentleman from Nebraska face. I would hope these gentlemen will be here at this time, because I certainly would not like to leave the impression that any colleague of mine voted against legislation for the specific purpose of aiding and abetting the growing rat population.

COMMITTEE ON RULES—PERMISSION TO FILE REPORTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ANNOUNCEMENT REGARDING ADJOURNMENT OF THE HOUSE

Mr. ALBERT. 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 Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time so as to advise Members of the House definitely that it is our purpose to adjourn on September 1 until Monday, September 11. I do this in order that Members may make their plans accordingly.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

E. F. FORT ET AL.

The Clerk called the bill (H.R. 2661) for the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort.

Mr. HALL. Mr. Speaker, by request, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. INGE HEMMERSBACH HILTON

The Clerk called the bill (H.R. 6096) for the relief of Mrs. Inge Hemmersbach Hilton.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MRS. CHIN SHEE SHIU

The Clerk called the bill (S. 636) for the relief of Mrs. Chin Shee Shiu.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CLARA B. HYSSONG

The Clerk called the bill (H.R. 1655) for the relief of Clara B. Hyssong.

Mr. EDWARDS of Alabama. Mr. Speaker, by request, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

CHILDREN OF MRS. DORIS E. WARREN

The Clerk called the bill (H.R. 2454) for the relief of the children of Mrs. Doris E. Warren.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

COMDR. ALBERT G. BERRY, JR.

The Clerk called the bill (H.R. 2757) for the relief of Comdr. Albert G. Berry, Jr.

There being no objection, the Clerk read the bill, as follows:

H.R. 2757

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Commander Albert G. Berry, Junior, United States Naval Reserve, retired, of Coronado, California, the sum certified to him by the Secretary of the Navy pursuant to section 2 of this Act. The payment of such sum to the said Commander Albert G. Berry, Junior, shall be in full settlement of all of his claims against the United States for loss of pay and allowances arising from failure to credit him (for longevity purposes) with service as a midshipman at the United States Naval Academy.

SEC. 2. The Secretary of the Navy shall, within ninety days after the date of enactment of this Act, certify to the Secretary of the Treasury the difference between the amount of pay and allowances received by the said Commander Albert G. Berry, Junior, from the United States and the amount of such pay and allowances to which he would have been entitled had he correctly been credited (for longevity purposes) with the period of his service as a midshipman at the United States Naval Academy, reduced by any amount which the said Commander Albert G. Berry, Junior, may have recovered in a civil action from the United States for loss of pay and allowances on account of failure to credit him with such service for longevity purposes.

With the following committee amendments:

On page 1, line 7, strike "Secretary of the Navy" and insert "Comptroller General of the United States".

On page 2, line 3, strike "Secretary of the Navy" and insert "Comptroller General of the United States".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAURITZ A. STERNER

The Clerk called the bill (H.R. 3865) for the relief of Mauritz A. Sterner.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MRS. HAZEL M. LaFRANCE

The Clerk called the bill (H.R. 5025) to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on certain claims of Mrs. Hazel M. LaFrance against the United States.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

FRED W. KOLB, JR.

The Clerk called the bill (H.R. 6189) for the relief of Fred W. Kolb, Jr.

There being no objection, the Clerk read the bill, as follows:

H.R. 6189

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the indebtedness to the United States of Fred W. Kolb, Junior, of San Francisco, California, arising out of the erroneous payment of compensation to him in 1960 by the Department of the Army shall be reduced by an amount equal to the amount of additional Federal income tax, as determined by the Secretary of the Treasury, that Mr. Kolb paid for the taxable year 1960 as a result of having such compensation included in his income for that taxable year. No amount repaid by Mr. Kolb in satisfaction of the indebtedness to the United States described in the preceding sentence shall be allowed as a deduction for purposes of the Federal income tax. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for the amount by which indebtedness is reduced by this Act.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred W. Kolb, Junior, an amount equal to the amount (if any) by which (1) the aggregate of sums paid by him (or withheld from sums otherwise due him) with respect to the indebtedness to the United States described in the first section of this Act exceeds (2) such indebtedness as reduced in accordance with such section.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

AMENDMENT OFFERED BY MR. ASHMORE

Mr. ASHMORE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASHMORE: On page 2, lines 7 through 14, strike "(a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred W. Kolb, Junior, an amount equal to the amount (if any) by which (1) the aggregate of sums paid by him (or withheld from sums otherwise due him) with respect to the indebtedness to the United States described in the first section of this Act exceeds (2) such indebtedness as reduced in accordance with such section," and insert "(a) The Secretary of the Treasury is authorized and directed to pay, on behalf of the Department of the Army, out of any money in the Treasury not otherwise appropriated, to Fred W. Kolb, Junior, an amount equal to the amount (if any) by which (1) the aggregate of sums paid by him (or withheld from sums otherwise due him) with respect to the indebtedness to the United States described in the first section of this Act exceeds (2) such indebtedness as reduced in accordance with such section."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. EMANUEL MARCUS

The Clerk called the bill (H.R. 7599) for the relief of Dr. Emanuel Marcus.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

CHARLES WAVERLY WATSON, JR.

The Clerk called the bill (H.R. 8091) for the relief of Charles Waverly Watson, Jr.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SETSUKO WILSON (NEE HIRANAKA)

The Clerk called the bill (S. 534) for the relief of Setsuko Wilson (nee Hiranaka).

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

RAMIRO VELASQUEZ HUERTA

The Clerk called the bill (H.R. 3497) for the relief of Ramiro Velasquez Huerta.

There being no objection, the Clerk read the bill, as follows:

H.R. 3497

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Ramiro Velasquez Huerta shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, notwithstanding the provision of section 212(a)(31) of the Immigration and Nationality Act, Ramiro Velasquez Huerta may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERTO MARTIN DEL CAMPO

The Clerk called the bill (H.R. 5216) for the relief of Roberto Martin Del Campo.

There being no objection, the Clerk read the bill, as follows:

H.R. 5216

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(31) of the Immigration and Nationality Act, Roberto Martin Del Campo may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA KOLOMETROUTSIS

The Clerk called the bill (H.R. 7427) for the relief of Maria Kolometroutsis.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ROY A. PARKER

The Clerk called the bill (S. 1448) for the relief of Roy A. Parker.

Mr. EDWARDS of Alabama. Mr. Speaker, by request, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama.

There was no objection.

JOHN J. McGRATH

The Clerk called the bill (H.R. 2477) for the relief of John J. McGrath.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

HUBERT ASHE

The Clerk called the bill (H.R. 4404) for the relief of Hubert Ashe.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JOANNE MARIE EVANS

The Clerk called the bill (H.R. 5368) for the relief of Joanne Marie Evans.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

COL. GILMOUR C. MacDONALD, U.S. AIR FORCE (RETIRED)

The Clerk called the bill (H.R. 10932) for the relief of Gilmour C. MacDonald, colonel, U.S. Air Force (retired).

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ELPIDIO AND NATIVIDAD DAMAZO

The Clerk called the bill (H.R. 3737) for the relief of Elpidio and Natividad Damazo.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER. This concludes the call of the Private Calendar.

THE PRESIDENT'S COMMUNICATIONS MESSAGE: A WELCOME STEP

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, President Johnson's message on communications policy, delivered to the Congress yesterday afternoon, is indeed a welcome step.

The message announced the appointment of a task force of distinguished government officials to make a comprehensive study of both the domestic and the international implications of communications policy.

The primary object of this undertaking is to gain a better understanding of the challenge presented by modern communications technology and to tailor our response in such a way that communications, in the words of President Johnson, may "encourage men to talk to each other rather than fight one another."

Mr. Speaker, just a few months ago, the Foreign Affairs Subcommittee which I have the honor to chair, the Subcommittee on International Organizations and Movements, held hearings on the subject of modern communications, particularly as they relate to the advancement of our foreign policy objectives and the development processes. In the report issued on the basis of those hearings, our subcommittee urged that our Government devote much greater effort to the improvement of communications so that the promise of the new technology in that field can be fulfilled, for the benefit of peace and advancement of all mankind.

Our report, entitled "Modern Communications and Foreign Policy," was

printed on June 13, 1967, as House Report No. 362, 90th Congress, first session. Mr. Speaker, I again want to applaud the action taken by President Johnson and I shall look forward to the results of the study and reports that will be issued by the new task force headed by Under Secretary of State Eugene Rostow.

CALL OF THE HOUSE

Mr. CHARLES H. WILSON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from California makes the point of order that a quorum is not present. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 211]

Andrews, N. Dak.	Eckhardt	Minshall
Arends	Everett	Murphy, Ill.
Ashley	Feighan	Murphy, N.Y.
Baring	Ford, Gerald R.	Passman
Bates	Gallagher	Purcell
Blackburn	Green, Oreg.	Ruppe
Blatnik	Hays	Stuckey
Brademas	Herlong	Teague, Tex.
Brock	Ichord	Tenzer
Burton, Calif.	Jones, Mo.	Tunney
Casey	Leggett	Williams, Miss.
Corman	Long, Md.	Wyman
Diggs	McClure	
	Matsunaga	

The SPEAKER. On this rollcall 393 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ROY A. PARKER

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Private Calendar No. 172, the bill (S. 1448) for the relief of Roy A. Parker.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the bill, as follows:

S. 1448

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the periods of time Roy A. Parker has resided in the United States since his lawful admission for permanent residence on December 16, 1958, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, the time Roy A. Parker resided abroad between April 19, 1960, and April 19, 1964, accompanying his stepfather who was stationed in France on an official assignment with the U.S. Army, shall be held and considered to be residence and physical presence in the United States for the purposes of section 316 of the Immigration and Nationality Act."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PENALTIES FOR INTERFERENCE WITH CIVIL RIGHTS

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 856 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 856

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. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. It shall also be in order to consider, without the intervention of any point of order, the text of section 4 of the bill, H.R. 2516, as introduced, as an amendment to the said committee amendment in the nature of a substitute. 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 any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California [Mr. SMITH] and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 856 provides an open rule with 3 hours of general debate for consideration of H.R. 2516 to prescribe penalties for certain acts of violence of intimidation, and for other purposes. The resolution further provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment and that it shall be in order to consider as an amendment, without the intervention of any point of order, the text of section 4 of H.R. 2516 as introduced.

Some Members thought that H.R. 421, the so-called riot bill passed several weeks ago, and H.R. 2516, now under consideration, should be included together in the same bill, or legislation. I wish to commend the gentleman from New York, Chairman CELLER, and members of the Judiciary Committee for bringing the riot bill and this civil rights protection legislation before the Congress under separate bills. I supported and voted for the so-called riot bill when it was before the House, at the time it was passed by the House, and am satisfied that the provisions of that legislation if diligently enforced will greatly prevent and terminate the epidemic of destructive riots which struck Newark, N.J., Cleveland, Cincinnati, Los Angeles, Buffalo, and other localities.

It is indeed unfortunate that the bill now under consideration, H.R. 2516, had not been enacted several years ago, and it, too my mind, would have curtailed and prevented the deplorable riots which the Nation has suffered in the last couple of years. The pending legislation will provide the means and weapons to effectively enforce the provisions set out guaranteeing all American citizens equal rights. One only has to read the newspapers during recent years to learn of the numerous cases where provisions of the Federal civil rights law have been ignored, disregarded, and not enforced by State officials, county and municipal officials, including the police and the courts.

This pending legislation will provide Federal authority to legally inflict penalties on all persons, organizations, and individuals who defy Federal regulations for civil rights protection of all American citizens regardless of race, color, religion, or national origin. I support this legislation because it will make effective an enforceable civil rights bill and permit thousands of our citizens to enjoy their constitutional freedom for the first time in the history of our Nation. Under local laws and pending Federal laws the questionable and burdensome requirement of proving that the defendant specifically acted with the intention of depriving another of his rights under the 14th amendment provided a barrier for prosecutors to obtain convictions before the court. This "intention" requirement practically nullified pending civil rights prosecution before local district courts. The language of this pending bill is concise, clear, and specific and it will prevent lawyers from freeing their clients who may be guilty of maliciously violating the civil rights of other American citizens.

This legislation will effectively curb law violators who, under color of law, by force or threat of force, knowingly injure, intimidate, or interfere with any citizen because of race, color, religion, or national origin while he is lawfully engaging, or seeking to engage in—

First, voting or qualifying to vote, campaigning as a candidate for elective office, acting as poll watcher, or any legally authorized election official, in any primary, special, or general election;

Second, enrolling in or attending public school or college;

Third, participating in any program, benefit or activity provided or administered by the United States or any State or subdivision thereof;

Fourth, applying for or being employed by any private employer or agency of the United States or any State or subdivision thereof;

Fifth, serving as a grand or petit juror in any court of the United States or of any State;

Sixth, using any vehicle, terminal, or facility of any common carrier by motor, rail, water, or air;

Seventh, enjoying all advantages and facilities of any hotel, motel, inn, restau-

rant, or other public establishments which provide lodging to transient guests. This also applies to sports arenas, stadiums, or any other place of entertainment.

The punishment for violations of the above provide for a $1,000 fine or imprisonment of 1 year, or both; and if bodily injury results from the defendant's action, the fine shall be not more than $10,000 or imprisonment of not more than 10 years; and if death results penalty shall be imprisonment for any term of years or life.

The bill also protects the right of every citizen to enjoy and partake of public expression in free speech, and prohibits public interference of any of the specified activities by individuals acting alone, as well as by police officers acting under color of law.

H.R. 2516 also amends the penalty provisions of sections 241 and 242 of title 18, United States Code, to provide a similarly graduated penalty structure.

Mr. Speaker, I urge adoption of House Resolution 856 in order that immediate consideration may be given to H.R. 2516.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes, I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding.

I wonder if my colleague from Indiana would address himself to the reason for the waiver of points of order on page 2, lines 3 through 7 of the rule, for the consideration of section 4 of the text of the original bill, H.R. 2516, as an amendment to the said committee amendment in the nature of a substitute?

I would like to know why the Committee on Rules felt that it was necessary to waive points of order in this regard; whether or not the gentleman does anticipate it will be submitted as a substitute, whether it was requested by the committee, the Parliamentarian, or the committee that brings this legislation on the floor?

Mr. MADDEN. In reply to the gentleman, I will state that it was requested by the chairman of the Judiciary Committee, the points of order reservation, on account of a pending amendment.

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from California.

Mr. SMITH of California. Mr. Speaker, if I may state to the gentleman from Missouri, I intend to cover this in my statement on the rule, because I was the one who asked for this particular part of the rule, and I am going to go into it in some detail. If the gentleman will wait I will be happy to cover it in my statement.

Mr. HALL. I appreciate the gentleman's statement and I will be glad to wait until then for his explanation, Mr. Speaker.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SMITH of California. Mr. Speaker, House Resolution 856 provides for an open rule with 3 hours of debate, for the consideration of the bill H.R. 2516, a bill entitled "Penalties for Interference With Civil Rights."

The rule also makes in order the substitute language in the bill. It will also make in order the language under section 4 on pages 5 and 6, which was stricken when the substitute language was prepared, and not added back into the bill.

Now this language is the so-called preemption language. In other words, it makes it clear that this Federal statute will not preempt the field which if it were done would invalidate the State laws. In other words, the State laws will stand, as will this law, if it is enacted, and the Federal statutes will not preempt any State laws.

It was not clear from the testimony before the Committee on Rules as to just why this preemption language was not placed back in the substitute language.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. CELLER. The gentleman will recall that when I appeared before the Committee on Rules, I indicated to the gentleman that if the amendment is offered along those lines that it would be accepted.

Mr. SMITH of California. Yes, sir. That is correct. The gentleman is correct. I want to show here why the rule was reported out this way. I personally feel it is extremely important that the Federal Government not preempt the State laws.

As has been indicated by the chairman, I hope the chairman of the committee and the ranking Republican member and the Members of the House will support the amendment to place that language back in the bill.

The reason for reporting the rule this way was so that we would not be in any danger that a point of order would be raised, that this particular stricken language would not be germane to the substitute.

So that is exactly what the Committee on Rules did, and by my request in that regard.

Mr. Speaker, the purpose of the bill is to provide Federal criminal penalties for forcible interference with the exercise of federally protected civil rights. The bill is very similar to language contained in title V of last year's Civil Rights Act which passed the House but not the Senate.

The bill enumerates a number of activities which it protects. These are: voting, public accommodation, education, public services and facilities, employment, jury duty, use of common carriers, and participation in federally assisted programs. Persons participating in these activities are protected from those who would interfere with, or attempt to interfere with, their participation. Likewise, those who urge such participation are protected.

Anyone who interferes with such protected activities, or attempts to do so, by threats of violence, or in any other manner, is engaged in criminal actions under the bill and subject to the proscribed penalties. These vary depending on the seriousness of the offense. If no one is injured, penalties are a fine of up to $1,000, up to a year in prison, or both; if injury results the penalties are a fine of up to $10,000, up to 2 years' imprisonment, or both; if death results the imprisonment can be for any period of years up to life.

There are no minority views, but nine members of the minority have submitted additional views, identical to those submitted on H.R. 421. They support both bills, wish they were joined as one, and think the Rules Committee was wrong to threaten to remove H.R. 421 from the Judiciary Committee.

You will recall, Mr. Speaker, that H.R. 421, a bill entitled "Penalties for Inciting Riots," was originally introduced on the opening day of this session; namely, January 10. Up until the early part of June of this year, the Judiciary Committee had not held hearings and there were no indications hearings would be held. In fact, the indications were to the contrary.

CALL OF THE HOUSE

Mr. COLMER. Mr. Speaker, I hate to interrupt the gentleman this way but he is making a very important statement and I think he is entitled to have a quorum present to hear him.

Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. HOLIFIELD). The Chair will count. [After counting.] Evidently a quorum is not present.

Mr. ZABLOCKI. 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. 212]

Anderson, Tenn.	Corman	Minshall
Andrews, N. Dak.	Diggs	Murphy, N.Y.
Arends	Eckhardt	Passman
Ashley	Everett	Pool
Baring	Fascell	Purcell
Bates	Feighan	Scheuer
Blatnik	Gallagher	Sikes
Brademas	Hansen, Wash.	Stuckey
Brock	Hays	Teague, Tex.
Brown, Calif.	Herlong	Tenzer
Burton, Calif.	Ichord	Tunney
Casey	Irwin	Williams, Miss.
Cleveland	Leggett	Wyman
	Mailliard	
	Matsunaga	

The SPEAKER pro tempore (Mr. HOLIFIELD). On this rollcall 391 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER pro tempore. The Chair recognizes the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr. Speaker, several resolutions were introduced to "discharge" the Committee on the Judiciary. These were referred to the Committee on Rules, and on June 15 the dis-

tinguished chairman of the Committee on Rules, the gentleman from Mississippi [Mr. COLMER], notified the membership that this matter would be considered by the Committee on Rules at 10:30 a.m. on Tuesday, June 27.

Shortly thereafter the Committee on the Judiciary approved a bill encompassing both H.R. 421 and the measure up for consideration today, H.R. 2516. It was suggested that the two subject matters encompassed therein should be divided into two separate bills. This was done, and H.R. 421 passed the House on July 19 by a vote of 347 to 70. It is now pending in the other body.

On August 2, the Committee on Rules granted the pending rule.

Mr. Speaker, I am bothered by the possibility that this bill might be used as a defense of someone who has violated the provisions of H.R. 421. As an example, I am thinking about the present Governor of the great State of Georgia who previously operated a restaurant. As I recall from the publicity on television, he refused to serve Negroes, even to the extent of brandishing a weapon, which I believe was a hatchet, in front of some of the individuals outside his restaurant who were seeking entrance.

Let us assume some individual is desirous of causing trouble, specifically a riot, if necessary, and that he is in some other State. Assume further that he makes statements to the effect that he is going to such and such a State to make certain that the provisions of H.R. 2516 are fulfilled, from the standpoint of paragraph 8 on page 7 which has to do with enjoying the goods, services, facilities, privileges, advantages, or accommodations of any inn, hotel, motel, or other establishment which provides lodging to transient guests, or of any restaurant, cafeteria, lunch room, lunch counter, soda fountain, or other facility which serves the public and which is principally engaged in selling food for consumption.

Let us assume further that a riot does occur. Possibly somebody in the crowd started it after this particular individual made certain statements. Let us assume further that the Justice Department, as a result of investigation by the FBI, came to the conclusion that the individual crossed State lines for the purpose of starting a riot.

Now, my concern is why could not this individual use H.R. 2516 as a definite defense from the standpoint that he crossed State lines to carry out the provisions on page 8, which I previously mentioned.

Under date of June 28 I wrote the following letter to the distinguished chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER], sending a copy to the ranking minority member, the gentleman from Ohio [Mr. MCCULLOCH] and to the author of H.R. 421, the gentleman from Florida [Mr. CRAMER] in which I stated:

In reading the above two bills, the thought occurred to me that maybe they might be contradictory.

H.R. 421 prohibits interstate travel with intent to incite a riot or other civil disturbance.

H.R. 2516 prescribes penalties for certain acts of violence or intimidation.

If someone traveled in interstate in violation of H.R. 421 and was charged by the Attorney General, why couldn't he have a good defense by claiming that he was simply attempting to carry out one or more of the purposes of H.R. 2516?

These matters will undoubtedly reach the Rules Committee shortly after we return from the July 4 recess, and I would respectfully request that an opinion be obtained from the Attorney General relative to the question I have proposed above. I would like to have some answer from you by the time this matter, H.R. 2516, is presented to the Rules Committee.

Under date of July 13, I received the following letter from Mr. MCCULLOCH:

Hon. H. ALLEN SMITH,
House of Representatives,
Washington, D.C.

DEAR ALLEN: On June 28, 1967 you wrote Chairman Celler regarding a potential contradiction inherent in H.R. 421 (the anti-riot bill) and H.R. 2516 (a bill protecting certain enumerated rights).

H.R. 2516 cannot be read as a defense to inciting a riot. H.R. 2516 prohibits any person from injuring, intimidating or interfering with other persons because of race, color, religion or national origin while he is *lawfully* engaged in voting, enrolling in a public school, enjoying benefits provided by the United States, seeking employment, serving on a jury, using public means of transportation or public accommodations. Merely because a person was lawfully involved in any of the above activities would not provide a defense to inciting a riot.

In fact there is serious question in my mind as to whether a person who was inciting a riot could be considered 'lawfully engaged' in the protected areas. Even if he were, H.R. 2516 would only prohibit others from criminally interfering with him—and not give the inciter himself any immunity.

I hope this will help resolve the distinction between these bills.

Sincerely,

WILLIAM M. MCCULLOCH.

Under date of August 1, I received the following letter from Mr. CELLER:

Hon. H. ALLEN SMITH,
U.S. House of Representatives,
Washington, D.C.

DEAR COLLEAGUE: This will reply to your inquiry concerning the possible contradiction between the bills H.R. 2516 and H.R. 421, and requesting an opinion from the Attorney General of the United States on the matter.

In accordance with that request, I am happy to enclose a copy of the Attorney General's letter to me to which I referred at the hearing before the Committee on Rules this morning.

Kindest regards.

Sincerely yours,

EMANUEL CELLER,
Chairman.

Enclosed with the letter from Mr. CELLER was the following letter from Attorney General Clark, as follows:

Hon. EMANUEL CELLER,
Chairman, Judiciary Committee,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your letter of June 30, 1967, in which you transmit an inquiry as to whether a person charged with a violation of H.R. 421 could use H.R. 2516 as a valid defense. There is no question that he could not.

H.R. 2516 seeks to protect persons from the use of force directed against them because of their race, color, religion or national origin while they are lawfully participating in or seeking the benefits of voting, public accommodations, public education, public services and facilities, employment, jury service, use of common carriers, and federally assisted programs, all of which are activities protected by existing Federal law or the Constitution. H.R. 2516 also brings within its protection urging or aiding others to lawfully participate in these activities, or engaging in speech or peaceful assembly to oppose the denial of the opportunity to so participate. And it protects persons, such as restaurant proprietors, who are affording others equal treatment under the law. It is both highly appropriate and most important that these invaluable rights be protected. H.R. 2516 safeguards them by making their violation a Federal crime.

H.R. 421 prohibits incitement to riot or acts of violence. This is an entirely unrelated type of conduct, and a statute dealing with it would not be in conflict with the provisions of H.R. 2516.

Sincerely,

RAMSEY CLARK,
Attorney General.

I am not certain that Mr. Clark's letter fully answers the question but at least I am attempting to make legislative history to establish that no one in the House of Representatives in support of this legislation intends that it be used as a defense to H.R. 421. In other words, the facts should be submitted to a judge or jury for their determination.

In order that the record may be as clear as possible on this matter, I would be pleased to yield to the chairman of the committee and the ranking minority member of the committee at this time for any comments they wish to make.

Mr. CELLER. On the basis of the documents that you have read and from the discussions that we have had in many executive sessions, I am quite convinced that the opinion of the Attorney General is sound and correct.

Mr. SMITH of California. I thank the gentleman.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. CRAMER. The gentleman mentioned my name, the antiriot bill which I authored, H.R. 421, and this bill, and as I understand it, the gentleman is concerned with the interrelationship of the two bills. I think the questions that he has raised regarding the bill are important and extremely well reasoned.

I would like to say to the gentleman that it was at my request that the word "lawfully" was written into the initial Celler bill, H.R. 2516, not only as related to subsection (a) but to the two other sections as well, in order to attempt to avoid precisely what the gentleman is concerned about as it relates to interrelationship of this to the antiriot bill, to make certain that this could not be inserted as a defense in that rioting or inciting to riot is unlawful under the local laws of any of the communities.

Second, writing "knowingly" in to make certain that there would have to be intent on the part of the party involved violating this proposed act or this bill so that there would be that requirement of proof in addition.

I will say to the gentleman, though, that after a further and careful consideration of the bill as drafted, it is my

opinion that there is a possibility on page 8—and I have discussed this with the distinguished chairman and I have discussed it with the distinguished ranking minority member of the committee and some of the other members—that on page 8, subsection (b), which refers to anyone who "injures, intimidates, or interferes with, or attempts to injure, intimidate or interfere with any person (1) to discourage such person or any other person or any class of persons from lawfully participating or seeking to participate in any such benefits or activities without discrimination on account of race, color, religion, or national origin, or (2) because he as so participated or sought to so participate, or urged or aided others to so participate, or engaged in speech or peaceful assembly opposing any denial of the opportunity to so participate; or."

I will say to the gentleman that that language, working in relationship with the antiriot bill 421, and based upon the concern expressed by the gentleman and others, I think it is possible for Rap Brown, for example, to have gone to Cambridge, Md., and he could have said, if this bill becomes law, that he went there for the purpose of making certain that these rights are protected, and that the assembly that actually occurred was peaceful, but at that assembly he also said to them, "If you go into a restaurant—I am suggesting that you go into every restaurant that you can think of—that you arm yourself in case they oppose you. You have a right to resist against intimidation and injury. You arm yourself with guns and knives," and the assembly disbanded.

Thereafter a riot ensued when the instructions were carried out. I think there clearly is a problem as it relates to the definition of "engaging in speaking or peaceful assemblage," and I intend at the proper time to offer an amendment to specifically provide that this language shall not include the right to speak which has the result of inciting a riot. The gentleman has rendered a valuable service.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Illinois.

Mr. McCLORY. The gentleman has made an important speech with regard to the subject of preemption. I am sure it is the intention of the minority as well as the majority to make crystal clear that there is no intent by this legislation to preempt any State or local authority from jurisdiction in the matter. At the time of the hearing before the Rules Committee, I made the statement that this paragraph with regard to preemption, in my opinion, was included in good faith since there was a Supreme Court decision which, in construing the section of the statute here being amended, interpreted the language as not preempting any State authority. That decision was the case of *Screws et al.* v. *United States,* 325 U.S. 108. On page 108 of that decision the Court specifically said:

> But there is no warrant for treating the question in state law terms. The problem is not whether state law has been violated but whether an inhabitant of a State has been deprived of a federal right by one who acts under "color of any law." He who acts under "color" of law may be a federal officer or a state officer. He may act under "color" of federal law or of state law. The statute does not come into play merely because the federal law or the state law under which the officer purports to act is violated. It is applicable when and only when someone is deprived of a federal right by that action. The fact that it is also a violation of state law does not make it any the less a federal offense punishable as such. Nor does its punishment by federal authority enroach on state authority or relieve the state from its responsibility for punishing state offenses.[1]
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Mr. SMITH of California. Mr. Speaker, I am sorry that I have to interrupt the gentleman because my time is coming to a close.

Mr. McCLORY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a portion of the opinion which assures that no preemption is intended by the amendment.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HALL. Mr. Speaker, will the gentleman yield for one question?

Mr. SMITH of California. I yield briefly to the gentleman from Missouri.

Mr. HALL. Will the gentleman reread the first sentence of the letter from the Attorney General to the chairman of the Committee on the Judiciary and reassure the House that there is not a double negative there in the sentence structure, which makes a positive?

Mr. SMITH of California. This is a letter to Mr. CELLER from Ramsey Clark. It states:

> This is in response to your letter of June 30, 1967, in which you transmitted an inquiry as to whether a person charged with a violation of H.R. 421 could use H.R. 5216 as a valid defense. There is *no* question that he could *not*.

Mr. HALL. Mr. Speaker, if there is no question that he could not, then he could, in my translation of the English language. This is the very point I wanted to bring out. I think it is a very serious matter.

Mr. SMITH of California. I appreciate that, but later on it says the person could not be lawfully engaged in that.

Mr. Speaker, there is one word in this bill which causes me further concern. That is the word "religion" in line 14 on page 6. We will note that it makes it a crime for anyone to interfere or attempt to interfere "with any person because of his race, color, religion, or national origin." It may be that this word has been used in other measures, but I do not recall it. Suppose some particular religious group has a policy of hiring only the sons and daughters of the families of their particular group where one of the persons has been deceased. In other words, their purpose is to try to help their own members. Suppose further that they all happen to be white. Does this mean that they could be forced to hire others in opposition to their policy? Frankly, I think the word is unnecessary and should be stricken.

Mr. Speaker, I doubt that this particular bill is going to help very much in the overall situation. It seems to me that almost all of the civil rights bills that have been passed have only been a step toward the solution of this tremendous problem and that to some extent they have done more harm than good. I do, however, support the rule and reserve the balance of my time.

Mr. MADDEN. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. HUNGATE].

Mr. HUNGATE. Mr. Speaker, I would point out two points that I think we need to keep foremost in our minds. One is that this is a criminal law, and criminal laws are required to be reasonably specific. Traditionally, the 14th Amendment rights are those which are applied to State action and not private action.

Following the question raised by the gentleman from California [Mr. SMITH], the word "religion" in here has concerned me too. I am concerned also with the definition of a "public college" on page 6, lines 21 and 22. I presume that would not simply be a college operated by a State, but it could mean a college operated by a religious denomination.

I understand from magazines and newspapers that there is a religion called Liberation of Spiritual Development, or something of an LSD school that is operating somewhere. I do not know whether interference with that would fall in line with this act or not. Our friends, the Amish, operate schools and they do not agree with such things as the telephone or the automobile. They operate schools and I do not know if someone tried to interfere or attempted to interfere with someone going to a school of that kind, or an LSD college whether that would fall within the prohibition of the statute.

Going further, on page 6, line 24, the last line, it prohibits interference with persons "participating in or enjoying any benefit, service, privilege." Customarily the law has protected rights. Now we extend this to privilege. I am not certain just how far that construction could or should be carried.

Continuing in that same section, we cannot interfere with anyone or attempt to interfere with anyone participating in or "enjoying any benefit, service, program, facility, or activity provided or administered by the United States or by any State or subdivision thereof." It seems to me that section should read "provided by the United States and administered by the United States or any State or subdivision thereof." When we extend that to a program paid for and provided for and administered by the lowest local unit of Government, we have perhaps gone further than we might have intended to.

CALL OF THE HOUSE

Mr. O'NEAL of Georgia. Mr. Speaker, I make a point of order that a quorum is not present.

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[1] The petitioners may be guilty of manslaughter or murder under Georgia law and at the same time liable for the federal offense proscribed by § 20. The instances where "an act denounced as a crime by both national and state sovereignties" may be punished by each without violation of the double jeopardy provision of the Fifth Amendment are common. *United States* v. *Lanza,* 260 U. S. 377, 382; *Hebert* v. *Louisiana,* 272 U. S. 312.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. ZABLOCKI. 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. 213]

Andrews, N. Dak.	Curtis	Leggett
Arends	Diggs	Matsunaga
Ashley	Dingell	Minshall
Baring	Everett	Murphy, N.Y.
Bates	Feighan	Passman
Blatnik	Gallagher	Purcell
Brademas	Hanna	Resnick
Brock	Hansen, Wash.	Tenzer
Burton, Calif.	Herlong	Tunney
Casey	Holland	Williams, Miss.
Conyers	Ichord	Willis
Corman	Irwin	Wyman

The SPEAKER pro tempore (Mr. HOLIFIELD). On this rollcall, 392 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. HUNGATE] is recognized.

Mr. HUNGATE. Mr. Speaker, when you are having an outbreak of malaria, it is a poor time to protect the mosquitoes.

On page 7, (4) thereof, you will see also in terms of this bill there would be protection in "applying for or enjoying employment, or any perquisite thereof." Bear in mind the need to be specific that must be incorporated in a criminal statute, I find it interesting to know what "any perquisite thereof" might be in "enjoying employment." It says it covers any agency of the United States. I think that if this is a good provision, it should also cover specifically the Congress of the United States.

Paragraph (5) on page 7 would extend the provisions of this act to all grand or petit jurors in any court not only of the United States but also of any State.

Paragraph (8), dealing with the matter of being specific so it can be clearly understood, states:

Whoever, whether or not acting under color of law, by force or threat of force, knowingly—

(a) injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any person because of his race, color, religion, or national origin while he is lawfully engaging or seeking to engage in—

Please follow me—

(8) enjoying the goods, services, facilities, privileges, advantages, or accommodations of any inn, hotel, motel, or other establishment which provides lodging to transient guests—

That should cover Mrs. Murphy, Mrs. Nusbaum, and Mrs. Rostenkowski—

or of any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility which serves the public and which is principally engaged in selling food for consumption on the premises, or of any gasoline station, or of any motion picture house, theater, concert hall, sports arena, stadium, or any other place of exhibition or entertainment which serves the public, or of any other establishment which serves the public and which is located within the premises of any of the aforesaid establishments or within the premises of which is physically located any of the aforesaid establishments.

I think you will need to "backthink" to follow that through to understand it specifically. Once again, on page 8, line 23, this would apply to intimidating, injuring or interfering with any public official or other person, not simply a public official, not simply a class of persons, but any individual person. For the reasons I have outlined I think the bill is in need of considerable amendment before we support it.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON of Illinois. Mr. Speaker, I should like to make clear at the very outset of these remarks that I support the adoption of this rule, and I plan to vote for this legislation. So those who are in opposition to the passage of any and all civil rights legislation need take no particular comfort from my remarks. I think that violence has so completely wracked our land in recent months that all of us are sick unto death of the violence, whether it be the violence of the white man addressed to the black man, or vice versa, and there is, as the report points out, nothing particularly new about a Federal statute implementing or guaranteeing rights guaranteed under the Constitution of the United States.

At the same time, I have asked for this time this afternoon, because I think that we ought to deplore the reverse racism, the black nationalism, and the black power movement which has been emerging in recent months in this country. For some reason I find little, if any, disposition on the part of the present Attorney General of the United States or of the President of the United States, or anyone in the executive branch to speak out against some of these conditions that have so clearly revealed themselves.

There was very recently a black power conference in Newark, N.J., a conference that took place at a time, of course, when it should not have been held at all—under the most explosive circumstances. Before that meeting had barely begun, the cry arose from those who were present: "Get the honky reporters out," and there was a melee and violence, and some of the white reporters who were present suffered grievous physical injuries.

I wonder if there is anything in this bill this afternoon which is addressed to protecting the right of a free press in this country to report some of the conditions I am talking about right now.

The Carmichaels and the Browns who have been preaching separatism and hatred of people because they have a white skin are just as bad as any redneck who preaches racial hatred.

I would also like to take the time this afternoon to decry some statements that were made just today, and which are even now just being reported on the wire. These are statements made by Dr. Martin Luther King at the 10th general conference of the Southern Christian Leadership Conference. I quote a dispatch this afternoon that says that he blamed the summer's riots on the policymakers of white society. Listen to this. He called on urban Negroes "to adopt civil disobedience on a massive scale to dislocate the function of a city, for to do so without destroying it can be more effective than a riot." There is not one word in that statement of condemnation for those who would incite riots in our cities, but merely the suggestion that there ought to be a more effective technique used: that of civil disobedience on a massive scale to "dislocate the functions of our cities."

I think it is deplorable at a time when our cities are grappling with the enormous problems that confront them, that we have a man who is supposed to be a responsible leader of the civil rights movement, suggesting this kind of mass conduct on the part of those whom he would mislead.

I call attention to the remark that he made on Sunday on television when he said "it is necessary to escalate a campaign of militant and massive nonviolence." I went to the well of the House a few minutes ago and I looked up the meaning of the word "militant," and this is what it says in Webster's Unabridged Dictionary. It says that "a militant is one engaged in warfare, in fighting, and in combating."

Oh, to be sure, Dr. King went on and said, and coupled in that same sentence with "militant," that "It must be nonviolent." But, after all, he is addressing a group of people in this country who are educationally deprived for the most part—and I deplore that as much as anyone—but I wonder if the group to whom he is speaking is able to ascertain some of the subtle nuances of the speech which he is addressing to them. I wonder when he says, "You must escalate"—that is another word he used—"You must escalate in a militant way the campaign of nonviolence," whether they really understand.

That word "escalate" has been worked over pretty thoroughly in recent months.

However, as I recall, it has been used exclusively in describing the conduct or the policy of our Government in pursuing warfare, in conducting a war in Vietnam. Yet, when he talks about "escalating" and a "massive campaign to paralyze the cities of America," I wonder whether they understand him.

Let me recall one other incident this morning, the news that the latest newsletter of the Student Non-Violent Coordinating Committee—a misnomer if ever there was one—has come out with a vicious anti-Semitic attack, going back to 1946, accusing the Jewish people of atrocities, picturing General Dayan as something of a Nazi butcher with blood dripping from his hands. And this was in a pamphlet which was scurrilous to the extreme, voicing nothing but outright anti-Semitism in its attack on the very people who have in many cases, if not in most instances, been prominent supporters of the civil rights movement in this country.

I deplore as much as anyone incidents like those that took place in Neshoba County, the killing of Lemuel Penn, the disgraceful murder of Mrs. Liuzzo, and all the other things which constitute a dark blot and stain on our national hon-

or, but I believe the time has come for those in Government to call upon those who would be leaders of the civil rights movement to show a little responsibility, to show a little statesmanship in the approach they use. They have been on the scene long enough to exhibit a little statesmanship, a little mature judgment. Instead of resorting to appeals of anti-Semitism, instead of encouraging separatism, instead of using the kind of violent and inflammatory action which Dr. King used in Atlanta today, to encourage a mass civil disobedience campaign to paralyze the cities of our country, let us, for heaven's sake, expect from these people what they would expect from us—not only civil treatment, not only obedience to the law, but also an effort, in a calm and judicious manner, to arrive at a settlement of some of the differences which divide us.

Mr. CONYERS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the distinguished gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. I thank the gentleman for yielding.

I should like to point out, although I am sure the gentleman is aware, that Dr. Martin Luther King has been the most consistent opponent of violence that America has, black or white. I believe the gentleman would be making a grave mistake with reference to his remarks to think that Dr. King in any way has at any time ever advocated or supported the violence or the riots that beset our communities.

Mr. ANDERSON of Illinois. The gentleman now speaking knows I respect him, but I refer him to some of the language I have just quoted from recent remarks by Dr. King.

Mr. MADDEN. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, in the face of the recent riots arising in ghettos and pales of settlements in Detroit, Newark, Cambridge, Boston, Cleveland, Dayton, Atlanta, and other cities, it might be considered ill advised in calling up this civil rights bill. Such a charge is as unfair as it is unjust. The riotous behavior which has brought shame upon our victim cities and which has tarnished our image at home and abroad have been deplored and denounced by all of us. We applaud severe punishment for those guilty. However, only a minuscule number of Negroes in those unfortunate cities were involved as rioters and inciters to riot. The rank and file of Negroes were not involved. Many of them deprecated the evil provoked. Responsible Negro leaders made outcry against the culprits and asked that they be brought to book. Many homes and stores of Negroes were burned and destroyed. Scores of innocent Negroes suffered. These pillages and maraudings were, in part, inspired by the Carmichaels, the McKissicks, the Rap Browns, whose bestial behavior warrants severest sanctions. Yet these vile creatures and their benighted followers should not blind us in doing our duty; namely, to attack the deeply rooted causes that spark these riots, to eliminate these epidemic explosions born of Negro despair. There are still parts of our country in the North, South, East, and West where there is distilled the poison of segregation, discrimination, and ostracism; where the constitutional rights of the Negro are eroded, impaired, or withheld completely.

The sob of a rat-bitten child in the slums becomes a siren of despair.

The sign "Verboten" painted in invisible letters on housing is a stab in the heart.

Access even to the lowest rung of the labor ladder stings to the quick.

The morsels and crumbs tended him grudgingly in places of public accommodation makes him wonder sometimes whether he is God's creature.

When he is hampered or prevented from judging his peers on juries, and when he can only with trembling hands cast his ballot, he asks, "What are really my rights under this constitutional government?"

He asks, too, "Where is the voice of Leviticus which says, 'Proclaim liberty throughout the land, to all the inhabitants thereof.' "

Indeed that voice is ofttimes muted or silenced. It should be heard clarion clear.

If force and violence accompany the tragedies then it is cruel for Congress not to act.

This bill reaches racially motivated acts of violence by private individuals against persons exercising 14th amendment rights. We must not permit riots in our cities to obscure the noninhibited violence that is flagrantly exercised without fear of hindrance against those who desire peacefully to secure for themselves constitutionally guaranteed rights.

What we all seek together is law and order and a respect for law and order. There is, I maintain, a correlation between the nondeterred civil rights violence and the violence in our cities. When civil rights violence is tolerated, the victims can have little but contempt for the processes of law, a fostered feeling that the law is against them, that the life of a Negro or his property are of no consequence to those in authority.

When thouasnds upon thousands—and this is a nation of shifting populations—moved into the cities of the North, they brought with them the feeling that the law is a white man's law. The concept of equality under the law was unknown to them. Civil rights violence is just as wrong as the violence in the cities. Injustice breeds injustice, as violence breeds violence. Today, civil rights violence has been relegated to the back pages of our newspapers. We do not see the connections between the headlines on page 1 and the small item on the bottom of another page, but the thread is there. Let us not ignore it.

This is an antiviolence bill. It is neither vague nor an abstraction. It carefully circumscribes the area to which it is applicable and provides the penalties accordingly.

Mr. MADDEN. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Speaker, I will take just a moment to ask the chairman of the Judiciary Committee a question. Before I do I want to affirm that over the years I have supported all of the several civil rights measures with the exception of Forced Housing in 1966. I thought we provided for some measure of enforcement of those rights at the time of enactment. Now I am asking, Was the only type of enforcement by injunction or civil means? Then I will ask, Is this the first Federal criminal statute covering these rights bills?

Mr. CELLER. It is a criminal statute.

Mr. RANDALL. And is this the first such criminal statute?

Mr. CELLER. It provides that if anyone pursues the rights guaranteed by the Federal statutes or the Constitution, whether in the way of education, employment, public accommodations, public recreation facilities, and if he pursues those rights lawfully, then he shall be protected against violence.

Mr. RANDALL. Is it not true that there are penalties for acts of violence whether the intimidation happens to be against a civil rights worker or some fellow who happens to be peddling bananas? Each or both is now covered by State law?

Mr. CELLER. That is correct.

Mr. RANDALL. My point is this: There is some underlying premise, expressed or at least implied, that there has been negligence in not enforcing the State statutes.

Mr. CELLER. Some States enforce and some do not, but to make sure that we have proper enforcement, we have this bill.

Mr. RANDALL. I will say to the gentleman from New York I intend to support the rule which provides for the consideration of H.R. 2516. I must state further I shall listen very carefully to the general debate on this measure and also to the amending process. It would be ill advised to oppose the rule, because we have here before us today an open rule. Perhaps during the amending process there may be an opportunity to improve this bill. I am not sure how well some of the terms are defined. We all know the meaning of violence, but the word intimidation so far as I can see has not been clearly defined. I would be interested in listening to the formulation of a definition for that word.

All of us must be certain that this bill will not negate or offset what we tried to accomplish under the antiriot bill. What I am trying to say is that we must be certain and positive that because of the interrelationship of H.R. 2516 with H.R. 421, should the bill we are considering become law, it will not be used as a defense against the antiriot bill, H.R. 421.

There is another facet of this legislation that we must watch very carefully. It is that H.R. 2516 does not preempt State authority. As the chairman of the Judiciary Committee stated a moment ago, all of these acts of violence are covered by State law, but are not enforced in some States. Well, it seems to me that each of us should consider whether or not the civil rights measures that have been passed are enforced in the States in which we live and which we represent.

Certainly there has never been any problem of enforcement in the State of Missouri and particularly the area in west-central Missouri which it is my privilege to represent. This is a criminal measure that we are considering today. I think we should be very sure that, should it become law, there will be no preemption of State statutes that have proven workable and have been enforced.

Every one of the acts here involved in this bill are covered by existing law. Each of the areas of activity which are covered, including the exercise of the privilege to vote, school attendance, travel, public accommodations, all of these are covered. It is also true that under general law all of the activities of others who are exercising their lawful rights are covered. This is true of a salesman, or a small merchant, or a professional man. The question could most appropriately be asked, what is the difference, then, between an assault against a civil rights worker and assaulting a salesman, or a small merchant, or a professional man? Why is it necessary to provide an extra layer of insulation or a double cloak of protection around civil rights workers?

For my part, I question the vague and indefinite provision concerning accommodations, which might take away the exemptions for Mrs. Murphy's rooming-house. Then I could not overlook the reference at one point in this bill which would affect grand or petty jurors in the courts of any State. Certainly I do not want to be a party to tampering with our jury system in the courts of our several States by means of a bill of this kind.

The record will clearly establish I have supported all of the civil rights measures involving voting rights, schools, employment, travel and accommodations. It seems to me this is not a time to talk about heavier penalties. We just listened a few moments ago to a letter from the Attorney General who stated there was already in existence penalties for the acts in the several areas of activity covered by this measure, but he asked for new and more severe penalties. I repeat, this is no time to discuss anything that smacks of severity. It is a time for moderation and a time for cool heads. It is not a time to leave the impression that this bill will afford protection or immunity to those who would step over the line from lawful conduct to disorderly and unlawful conduct. We must be careful that a measure of this kind should not be construed or interpreted to encourage militancy among civil rights workers.

Repeating, I have supported all civil rights legislation with the exception of the 1966 bill which included open housing, which many of us regarded as forced housing and a deprivation of property rights. All of the measures which were passed provide for enforcement by injunction and other civil remedies. All of the States have criminal statutes that cover the provisions of this Federal statute that we are being asked to enact into law. Therefore I must ask why is there need for duplication? Why is further legislation necessary? This is a matter that should be listened to most carefully by every Member of the House. Very frankly every one of us should ask ourselves whether this bill is needed at this time, or whether it is wise to talk about more severe penalties. Most of all be very careful to see that this measure does not undo or negate the antiriot bill which was recently passed by the House.

Mr. MADDEN. Mr. Speaker, I yield the remainder of the time on this side to the distinguished gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I appreciate my colleague, the distinguished gentleman from Indiana [Mr. MADDEN], yielding this time to me. It may be that I shall engage in the next few moments in an exercise in futility, because I realize the facts of life; that is, the political facts of life, and I recognize also that we passed in this House of Representatives recently an antiriot bill, a bill that was opposed by certain civil rights groups and civil rights leaders. I further recognize that as a result, Mr. Speaker, some people who felt, because of the extreme public opinion at that time that they had to vote for that bill, then came to the conclusion that they had to have another so-called civil rights bill for which they could vote in order to offset their vote on the antiriot bill, thus putting themselves back in a good position with those whom they had opposed.

Mr. Speaker, the best evidence on this which I can give to the Members of the House—and I do not wish to get personal on this thing, I just speak from the record—is that this bill and the antiriot bill were reported out at the same session of the Committee on the Judiciary, headed by the very able and learned gentleman from New York [Mr. CELLER] and assisted by the distinguished gentleman from Ohio [Mr. MCCULLOCH] on the minority side, men who have been held in public opinion as leaders on this legislation and great civil rights leaders throughout the years, and they filed exactly the same report on the antiriot bill as was filed on the civil rights bill—or if one prefers, the "civil wrongs bill" that we have pending here before us today.

Now, Mr. Speaker, why did they do that, unless it was for the purpose that I just mentioned? You have the two bills before you as well as the reports thereon.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I am sorry; but just permit me to go along a minute and then I shall yield to the gentleman from New Jersey.

You have the two reports and you see the matters to which I have referred.

Now, let us go back for just a moment. My very able, patriotic, and illustrious friend, the ranking minority member of the Committee on Rules, the gentleman from California [Mr. SMITH] pointed out a few moments ago something of the history as to the route and the method by which this bill has come here for the consideration of the House.

Mr. Speaker, I want to supplement that statement that he made to the Members of the House by simply saying that had the antiriot bill not been reported out of the Committee on the Judiciary, under the whiplash of the Committee on Rules, we would not have this so-called civil rights bill here today.

Now, the record will bear that out. First, an attempt was made to include both of them in the same bill. But when they could not get by with that, the Judiciary Committee reported them out separately.

Now, we need this bill today just about—to use a hackneyed expression—like you need a hole in the head.

Frankly, I am greatly surprised that the bill was programed at this time. I just cannot understand it. It seems to me that certainly the atmosphere is not good here for the consideration of such a bill. Why, the able gentleman from Illinois [Mr. ANDERSON] here a moment ago, when he spoke, most of his time—although he said he would support the bill, if I quote him correctly—most of his time was taken up in a blast at these civil rights leaders, and about these riots that are going on all over the land.

Mr. Speaker, I wish I had the time just to read you some statements I tried to impress upon this body during debates on previous civil rights bills. You know, it has come to the point where we have to have a civil rights bill every year. We have to keep up. We have to keep vying for that black vote, both parties, yes—and my friends over here to the left, they are still chasing rainbows. They have not got a ghost of a show. They cannot outbid us Democrats when it comes to getting that vote. But we just have to have a civil rights bill every year.

Here is what I said in 1960, and I cannot point out all of the things I said:

> This will result, among other things, in the further tragic breakdown of good relations between the races.

Mr. Speaker, I said that in 1960. I repeated it in 1964, and I repeat it in 1967.

What do you do? Do you go out and offer more and more and more political bait to many people who really cannot understand it, and who take it as a license to go out in the streets and shoot people down, and to burn property to the ground? That is what is happening.

Now, the House is going to pass this bill today, I assume, because you have got to get back in good graces with those people, the Carmichaels and the Browns and the Martin Luther Kings.

Mr. HUNGATE. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to my friend very briefly.

Mr. HUNGATE. Does the gentleman make the point that this bill in this form was never considered by the Committee on the Judiciary?

Mr. COLMER. I make the point that it was not considered this year. As a matter of fact, I have asked members of the Committee on the Judiciary about this bill, and they did not know anything about it.

Now, in fairness I have to say that certain provisions, if not all of this bill, were considered last year in the 1966 version.

Mr. HUNGATE. But as a separate bill in this session it has not been considered?

Mr. COLMER. That is certainly my understanding.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I have got to yield to the gentleman, but please make it brief.

Mr. ROGERS of Colorado. The gentleman will admit that this bill in a different form was considered in the act we passed in 1966 and, furthermore——

Mr. COLMER. Yes, I admit that. Now, that is all.

Mr. ROGERS of Colorado. The gentleman does not——

Mr. COLMER. Now, please. I have admitted it, in the interest of time. I practically said I had understood that most of it was in there, but I cannot let the gentleman take more of my time because he is too smart for me.

Now, we are going to consider the bill here, and we are going to pass it, even though you may offer some watered down amendments. I make the statement again that the bill is here because of the antiriot bill, and if it had not been for the antiriot bill it would not be here.

I make the further statement, the new Attorney General to the contrary notwithstanding, that this bill carries with it a built-in defense for the antiriot bill. I have not got time to go into it in depth. It has been gone into here briefly. Maybe we can go into it a little further.

The gentleman from Florida [Mr. CRAMER] used the same illustration that I used up in the Committee on Rules and that is this: Rap Brown goes over into another State and incites a riot and then an officer of the law tries to arrest him—"Oh, no—oh, no" he says, "I did not incite any riot. I was just over here telling these people that they were not getting all that they were entitled to under any Federal statute and under any Federal provision." The antipoverty program for instance. "That is all I was doing over here."

Follow this now—if that officer tries to arrest him under this law, then that officer can be arrested and indicted and tried for interfering with the civil rights of Mr. Brown—and I have reference to Rap Brown.

I would like to bring out one other point while I have the time.

The Attorney General in this letter says—and again I do not have the time to read it all, but in part he says that "We have the laws already to do this."

So what are we going to do? What are we doing here? We are putting heavier penalties here.

Why, the other day right here a group of these people who feel that they are licensed to take over this country marched into your Capitol. They knocked down your guards up there in the galleries. And I understand that one of the guards is still in the hospital. But what did those people get? They were released on $10 bail and permitted to return to Harlem.

But under this proposed legislation someone convicted of interfering with the alleged rights of a minority person could be punished up to as much as life imprisonment.

Mr. Speaker, for just once in this field of civil rights, I hope the House will rise to the occasion and vote its conscience and good judgment rather than politics.

Finally, Mr. Speaker, under permission to extend my remarks, I would like to conclude with a number of quotes from speeches that I made on the floor of this House during the consideration of these unfortunate enactments. Bearing in mind what has been going on all over this country in the last several months in riots—yes, even anarchy—I regret to point out that some of these things which I pointed out then would ensue have proved to be rather prophetic.

CONGRESSIONAL RECORD, volume 110, part 12, page 15478:

The Negro race has made the greatest progress in this country that any race has ever made in a similar period of time. This has been accomplished under the guiding and helping hand of his white brother, particularly his southern white brother. He cannot be brought up overnight on a plane with the white race which has had the benefit of civilization, Christianity and education for more than 2,000 years. He must trod the same slow path which has characterized the advancement of the white race.

There are already ample and adequate laws on the books to protect the rights of all minority groups. No amount of appeasement, no law or no court decree can or will solve the problem.

The President's proposals are more far-reaching than his stated objective of equal rights for Negroes. The racial angle is but one facet of the evils proposed. These new civil wrongs advocated by the administration strike at the very foundation stones of our system of constitutional government.

The enactment of the President's recommendations can only result in:

1. The further tragic breakdown of good relations between the races.

2. A step-up in more and more demands by the Negro agitators.

3. More regimentation of the American people by a strong centralized Federal Government, with the resultant deprivations of the liberties of all American citizens.

4. A further significant, if not fatal, assault upon the free enterprise system and the death-knell of State sovereignty.

5. The end of the one-party system in the South.

These unwise and unconstitutional requests with all of their dangerous implications, should be recognized by all Americans for what they are. They are purely political and should be treated as such.

In the CONGRESSIONAL RECORD, volume 106, part 7, page 8500:

Finally, those of us who believe in conservative government here in the House have given our dedicated best efforts to prevent this deadly assault upon the priceless heritage bequeathed us by the Founding Fathers. We can now only hope that the day will be hastened when its evils will become so manifest in its operation that a wiser and less politically minded Congress will repeal it—even as a similar bill—the old Davenport Act—enacted in the unfortunate Reconstruction era was repealed at the turn of the century.

In the CONGRESSIONAL RECORD, volume 106, part 4, page 5197:

The daily press reports of racial disturbances, not only in the South, but throughout our great common country, are positive evidence of this fact. I shudder to think of what further disturbances—and, yes, even bloodshed—may occur before this deplorable political debacle is through.

People unaccustomed by heritage and long years of training for self-government are often too apt to take agitation in their behalf for license to perform in unlawful and unorthodox manners.

In the CONGRESSIONAL RECORD, volume 105, part 2, page 2549:

Mr. Speaker, the greatest tragedy of all of this misconceived effort to force integration is the fact that an evil wedge is being forced between the two races. I think future history will record the fact that the Negro will be the biggest loser.

Here is the race of people who were brought to this country against their will. They have made the greatest progress of any race of people in the history of the world under the guidance of their white brothers, their southern white brothers mostly. Now, these self-styled liberals, the politicians, and these other people who would reform us overnight—not the South, the Nation—would take a race of people who just a few generations ago, unfortunately, were—well, I do not want to use the word "savage," but were uncivilized in the jungles of Africa and just a few years ago were serfs in bondage—they would take them and by a statute enacted in this body and in the other body, or by an edict of the Court, place them overnight upon an equality with another race of people who for thousands of years have enjoyed all the benefits of Christianity, civilization, education and culture. This is not fair to them and it is not fair to the other race, the white race. Neither is it possible. The Negro must tread the hard and slow path of progress, civilization and culture—the same road traveled through the centuries by the white man. No waving of a magic wand, no legislation, no Court decree is the answer.

In the CONGRESSIONAL RECORD, volume 112, part 14, page 18111:

And I ask you, my colleagues, what has been the result? In spite of the passage of all these laws which we were told were to bestow equal rights on all of our citizens, we are faced with new and more far reaching demands by those who loosely advocate equal rights. Yes, today the great metropolitan centers, whose leaders have been the most active in the advocacy of civil rights, are face to face with virtual anarchy. Racial riots in our metropolitan centers, both East and West, seem to be the order of the day. The destruction by fire of whole segments of these cities, the looting and destruction of private property, and, yes, even maiming and murder seemingly are regarded by a large segment of those who advocate Federal legislation in civil rights as of no great moment. It is all glossed over as a result of these perpetrators being forced to live in so-called ghettos and by the familiar Communist reference to "police brutality." A disregard for the law is being advocated by many of our Negro leaders, headed by the advocate of nonviolent civil disobedience, King Martin Luther himself. It is indeed a sad day, Mr. Chairman, when we have arrived at the point where a citizen whether he be black or white can determine for himself or his followers which laws should be obeyed and which should not. Surely, King Martin Luther and his followers are under the same compulsion to obey and respect the law as the Imperial Wizard Shelton of the Ku Klux Klan. I hold no brief for either of them.

The SPEAKER. The time of the gentleman from Mississippi has expired.

All time has expired.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken.

Mr. LONG of Louisiana. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 330, nays 77, not voting 25, as follows:

[Roll. No. 214]

YEAS—330

Adair	Downing	Kuykendall
Adams	Dulski	Kyl
Addabbo	Duncan	Kyros
Albert	Dwyer	Laird
Anderson, Ill.	Eckhardt	Langen
Anderson, Tenn.	Edmondson	Latta
	Edwards, Calif.	Lipscomb
Annunzio	Eilberg	Lloyd
Arends	Erlenborn	Long, Md.
Ashbrook	Esch	Lukens
Ashley	Evans, Colo.	McCarthy
Aspinall	Evins, Tenn.	McClory
Ayres	Fallon	McClure
Barrett	Farbstein	McDade
Bates	Fascell	McDonald,
Battin	Fino	Mich.
Belcher	Flood	McFall
Bell	Foley	MacGregor
Bennett	Ford, Gerald R.	Machen
Berry	Ford,	Madden
Betts	William D.	Mailliard
Biester	Fraser	Martin
Bingham	Frelinghuysen	Mathias, Calif.
Blackburn	Friedel	Mathias, Md.
Boggs	Fulton, Pa.	May
Boland	Fulton, Tenn.	Mayne
Bolling	Garmatz	Meeds
Bolton	Giaimo	Meskill
Bow	Gibbons	Michel
Brasco	Gilbert	Miller, Calif.
Bray	Gonzalez	Miller, Ohio
Brock	Goodell	Minish
Brooks	Goodling	Mink
Broomfield	Gray	Mize
Brotzman	Green, Oreg.	Monagan
Brown, Calif.	Green, Pa.	Moore
Brown, Mich.	Griffiths	Moorhead
Brown, Ohio	Gross	Morgan
Broyhill, Va.	Grover	Morris, N. Mex.
Buchanan	Gubser	Morse, Mass.
Burke, Fla.	Gude	Morton
Burke, Mass.	Halleck	Mosher
Burton, Utah	Halpern	Moss
Bush	Hamilton	Multer
Button	Hanley	Murphy, Ill.
Byrne, Pa.	Hanna	Myers
Byrnes, Wis.	Hansen, Wash.	Natcher
Cahill	Harrison	Nedzi
Carey	Harsha	Nelsen
Carter	Harvey	Nix
Cederberg	Hathaway	O'Hara, Ill.
Celler	Hawkins	O'Hara, Mich.
Chamberlain	Hays	O'Konski
Clancy	Hechler, W. Va.	Olsen
Clark	Heckler, Mass.	O'Neill, Mass.
Clausen,	Helstoski	Ottinger
Don H.	Hicks	Patten
Clawson, Del	Holifield	Pelly
Cleveland	Holland	Pepper
Cohelan	Horton	Perkins
Collier	Hosmer	Pettis
Conable	Howard	Philbin
Conte	Hull	Pike
Conyers	Hungate	Pirnie
Corbett	Hunt	Poff
Cowger	Hutchinson	Pollock
Cramer	Ichord	Price, Ill.
Culver	Irwin	Pucinski
Cunningham	Jacobs	Quie
Curtis	Joelson	Quillen
Daddario	Johnson, Calif.	Railsback
Daniels	Johnson, Pa.	Randall
Davis, Wis.	Karsten	Rees
Dawson	Karth	Reid, Ill.
de la Garza	Kastenmeier	Reid, N.Y.
Delaney	Kazen	Reifel
Dellenback	Kee	Reinecke
Denney	Keith	Resnick
Dent	Kelly	Reuss
Derwinski	King, Calif.	Rhodes, Ariz.
Devine	King, N.Y.	Rhodes, Pa.
Dingell	Kirwan	Riegle
Dole	Kleppe	Robison
Donohue	Kluczynski	Rodino
Dow	Kupferman	Rogers, Colo.
Ronan	Smith, Calif.	Vigorito
Rooney, N.Y.	Smith, Iowa	Waldie
Rooney, Pa.	Smith, N.Y.	Walker
Rosenthal	Smith, Okla.	Wampler
Rostenkowski	Snyder	Watts
Roth	Springer	Whalen
Roudebush	Stafford	Whalley
Roush	Staggers	White
Roybal	Stanton	Widnall
Rumsfeld	Steed	Wiggins
Ruppe	Steiger, Ariz.	Williams, Pa.
Ryan	Steiger, Wis.	Wilson, Bob
Sandman	Stratton	Wilson,
St Germain	Stubblefield	Charles H.
St. Onge	Sullivan	Winn
Saylor	Taft	Wolff
Schadeberg	Talcott	Wright
Scherle	Teague, Calif.	Wyatt
Scheuer	Thompson, Ga.	Wydler
Schneebeli	Thompson, N.J.	Wylie
Schweiker	Tiernan	Wyman
Schwengel	Udall	Yates
Shipley	Ullman	Young
Shriver	Utt	Zablocki
Sisk	Van Deerlin	Zion
Skubitz	Vander Jagt	Zwach
Slack	Vanik	

NAYS—77

Abbitt	Gurney	Patman
Abernethy	Hagan	Pickle
Andrews, Ala.	Haley	Poage
Ashmore	Hall	Pool
Bevill	Hammer-	Price, Tex.
Blanton	schmidt	Pryor
Brinkley	Hardy	Rarick
Broyhill, N.C.	Hébert	Rivers
Burleson	Henderson	Roberts
Cabell	Herlong	Rogers, Fla.
Colmer	Jarman	Satterfield
Davis, Ga.	Jonas	Scott
Dickinson	Jones, Ala.	Selden
Dorn	Jones, Mo.	Sikes
Dowdy	Jones, N.C.	Stephens
Edwards, Ala.	Kornegay	Stuckey
Edwards, La.	Landrum	Taylor
Eshleman	Lennon	Teague, Tex.
Fisher	Long, La.	Thomson, Wis.
Flynt	McMillan	Tuck
Fountain	Mahon	Waggonner
Fuqua	Marsh	Watkins
Galifianakis	Mills	Watson
Gardner	Montgomery	Whitener
Gathings	Nichols	Whitten
Gettys	O'Neal, Ga.	Willis

NOT VOTING—25

Andrews, N. Dak.	Feighan	Minshall
	Findley	Murphy, N.Y.
Baring	Gallagher	Passman
Blatnik	Hansen, Idaho	Purcell
Brademas	Leggett	Tenzer
Burton, Calif.	McCulloch	Tunney
Casey	McEwen	Williams, Miss.
Corman	Macdonald,	
Diggs	Mass.	
Everett	Matsunaga	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Diggs for, with Mr. Baring against.

Mr. Tenzer for, with Mr. Williams of Mississippi against.

Mr. Matsunaga for, with Mr. Everett against.

Mr. Brademas for, with Mr. Passman against.

Mr. Feighan for, with Mr. Casey against.

Until further notice:

Mr. Blatnik with Mr. McCulloch.

Mr. Burton of California with Mr. Andrews of North Dakota.

Mr. Macdonald of Massachusetts with Mr. Minshall.

Mr. Gallagher with Mr. Findley.

Mr. Corman with Mr. Hansen of Idaho.

Mr. Murphy of New York with Mr. McEwen.

Mr. Leggett with Mr. Purcell.

Mr. JARMAN changed his vote from "yea" to "nay."

The result of this vote was announced as above recorded.

The door were opened.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT FRIDAY, AUGUST 18, TO FILE A REPORT ON NATIONAL AERONAUTICS AND SPACE ADMINISTRATION APPROPRIATION BILL, 1968

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Friday, August 18, to file a report on the National Aeronautics and Space Administration appropriation bill for 1968.

Mr. JONAS reserved all points of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

MAKING IN ORDER CONSIDERATION OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION APPROPRIATION BILL, 1968, ON TUESDAY NEXT OR THEREAFTER

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that it may be in order on Tuesday next or any day thereafter for the House to consider the National Aeronautics and Space Administration appropriation bill for 1968.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

PENALTIES FOR INTERFERENCE WITH CIVIL RIGHTS

Mr. CELLER. 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. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

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. 2516, with Mr. BOLLING 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 New York [Mr. CELLER] will be recognized for 1½ hours, and the gentleman from Ohio [Mr. MCCULLOCH] will be recognized for 1½ hours.

The Chair recognizes the gentleman from New York.

Mr. CELLER. Mr. Chairman, today we debate H.R. 2516, as amended, a bill that would establish Federal criminal penalties for forcible interference with civil rights. It contains substantially the same provisions as title V of the Civil Rights Act of 1966 which was approved by the House of Representatives on August 9, 1966. H.R. 2516 is intended to achieve four main objectives:

First, it would make it a Federal crime for private individuals forcibly to inter-

fere with lawful participation in activities protected by Federal laws, including the 14th amendment, whether or not "State action" is involved. It would also protect these activities against interference by public officials.

Second, it would specify the kinds of activities which are protected, thus giving unmistakable warning to lawless persons that if they interfere with any of these activities, they must answer to the Federal Government.

Third, it would protect civil rights workers, Negroes, and peaceful demonstrators seeking equality.

Fourth, it would provide a graduated scale of penalties depending upon whether bodily injury or death results from the interference.

Finally, I remind you the purpose of this measure is not new. It is old. It was accepted by Congress almost 100 years ago when it enacted sections 241 and 242 of title 18 of the Criminal Code—in 1870—which was to protect the Negro in pursuit of his constitutional rights. But, unfortunately, these sections were inadequately drafted. The law was full of loopholes. Court interpretations rendered it valueless for conditions that exist today.

What we do now is to put flesh and muscle on an old skeleton. We seek to breathe life into it. Presently this old statute is useless in trying to preserve individual civil rights—useless as an empty bucket in an empty well.

Hence the bill before you.

I repeat it passed the House in the last Congress as title V of the Civil Rights Act of 1966.

This bill and the antiriot bill which we passed are the reverse and obverse of the same coin.

Let me read what the Republican member of our committee said in so-called additional views:

> This legislation as reported out of subcommittee would have not only proscribed traveling and the use of facilities in interstate commerce with intent to incite riots but would have also protected and safeguarded the exercise of certain enumerated civil rights which Congress has already recognized. Under impending threat of a jurisdictional ouster by the Rules Committee, which dictated the prompt production of an "antiriot" bill without alloy, this committee has chosen to sever the two parts of the original bill. Thus, we report two bills simultaneously—an antiriot bill, H.R. 421, and a civil rights bill, H.R. 2516.
>
> These views are submitted because of the bifurcation of this vital legislation. We deeply regret this course. The two parts are inextricably interrelated. The amalgamation of the two parts would have presented a balanced and unified Federal view on what is protected and what is forbidden civil rights conduct. The function of law is to guide the conduct of the citizenry. Thus it is essential that the law speak with one voice in outlining what is permitted and encouraged on the one hand and what is forbidden on the other.
>
> The original bill would have indicated that while the law encourages the unfettered exercise of civil rights in the areas of public transportation, public accommodations, jury service, and Government programs and facilities, the answer to the violations of those rights that might occur is to be found in courts of law and not by rioting in the streets. Each of the present bills loses something when it stands alone. We must not overlook that we do not have two unrelated problem areas in the civil rights movement. Rather we have one focus—what is proper conduct for those seeking to extinguish "discrimination on account of race, color, religion, or national origin." Nor should we overlook that those who by force, violence, and threats interfere with the equal enjoyment of civil rights and those who incite riots and lootings share a common guilt. For both resort to tactics repugnant to our lawful traditions and reprehensible to our people.
>
> Although it is unfortunate that these companion provisions have been wrenched apart, we support each in its separated form. We support H.R. 421 because riots like those that recently occurred in Cleveland, Cincinnati, Dayton, Boston, Buffalo, and elsewhere must be stopped. Countless law-abiding citizens have been injured in their person and in their property. Many of these summertime race riots have been traced back to roving troublemakers who purposely travel about this Nation to incite riots. The need for this legislation shouts for itself. No one doubts our power to act. Seldom is the people's voice as clear as it is on this legislation. Hence, it is imperative that we rid interstate commerce of these agitators and unlawful troublemakers.

The bill adds a new section 245 to title 18 of the United States Code. It provides criminal sanctions for racially motivated forcible interference with persons who seek to engage in eight specific cases of activities. The protected activities are: voting, public accommodations, public education, public services and facilities, employment, jury service, use of common carriers, and participation in federally-assisted programs.

Proposed section 245(a) prohibits interference that occurs while a person is actually engaging or seeking to engage in protected activity, but applies only to interference which is motivated by the race, color, religion, or national origin of the victim.

The proposed statute would protect not only members of minority groups seeking equal treatment, but also persons who urge or help them to do so, and persons such as public school officials, restaurant owners and employers, who have a duty to afford others nondiscriminatory treatment in the areas of protected activities.

Section 245 (a) and (b) covers reprisals and prohibits attempts to deter others from engaging in the protected activities. For example, the jury would have to find that defendant's purpose was to deter persons from voting or applying for employment or applying for admission to a public school or to punish persons who have done so.

The statute would prohibit forcible interference by either public officials or private individuals. The bill would prescribe penalties graduated in accordance with the seriousness of the injury inflicted, ranging from misdemeanor penalties to life imprisonment. If a violation of the statute does not result in bodily injury or death, the penalty would be limited to a fine of not more than $1,000 or imprisonment for not more than 1 year, or both. If bodily injury does result, the penalty would be a fine of not more than $10,000 or imprisonment for not more than 10 years, or both. If death results, the penalty would be imprisonment for any term of years or for life.

The vast majority of Americans have either welcomed or peacefully accepted the progress of Negroes toward full enjoyment of equal rights. Unfortunately, a small minority of lawbreakers has resorted to violence in an effort to bar Negroes from exercising their lawful rights. Brutal crimes have been committed not only against Negroes for exercising Federal rights, but also against whites who have tried to help Negroes seeking to exercise these rights. Racial terrorism sometimes has gone unpunished; too often it has deterred the free exercise of constitutional and statutory rights.

We need to protect the rights of the individual just as much as we need to protect society from lawlessness. Each is essential to an ordered society and responsible freedom.

The acts of violence have occurred in retaliation against Negroes who have exercised or sought to exercise their Federal rights. In some cases, violence has been used against Negroes who have not engaged in any civil rights activities in order generally to intimidate and deter all Negroes in the exercise of their rights. White and Negro civil rights workers have also been victimized. Familiarity does not breed acceptance.

Under the Federal system, the keeping of the peace is, for the most part, a matter of local and not Federal concern. Racial violence almost invariably involves a violation of State law. Where the administration of justice is color-blind, perpetrators of racial crimes will ordinarily be apprehended by local police and appropriately punished by local courts; and, as a natural consequence, other would-be lawbreakers will be deterred.

In some places, however, local officials either have been unable or unwilling to to solve and prosecute crimes of racial violence or to obtain convictions in such cases—even where the facts seemed to warrant. As a result, there is need for Federal action to compensate for the lack of effective protection and prosecution on the local level.

But Federal legislation against racial violence is not required solely because of the sometimes inadequate workings of State or local criminal processes. Too often in recent years, racial violence has been used to deny affirmative Federal rights; this action reflects a purpose to flout the clearly expressed will of the Congress. Thus, when a Negro is assaulted for attending a desegregated school or casting a ballot, it is not only the individual Negro and the peace and dignity of the State that is injured. Such lawless acts are distinctly Federal crimes and it is, therefore, appropriate that vindication of the Federal rights infringed should be committed to the Federal courts.

A number of criminal and civil statutes designed to reach both private and official interference with Federal rights were enacted, I repeat, by Congress in the 1860's and early 1870's. This legislation included the statutory predecessors of what are now sections 241 and 242 of the Federal criminal code. A number of these early provisions, however, were invalidated or greatly restricted in application by the courts; others were repealed by later Congresses.

Only recently the Supreme Court had occasion to interpret two of the still existing criminal provisions—sections 241 and 242. In *United States* v. *Guest*, 383 U.S. 745, the Court was faced with a Federal indictment based on the shooting of a Negro educator, Lemuel Penn, while he was driving through the State of Georgia; *United States* v. *Price*, 383 U.S. 787, involved the 1964 killings of three civil rights workers in Neshoba County, Miss.

While Supreme Court decisions in these cases clarify some aspects of section 241 and section 242, the majority and concurring opinions in the Guest case point up a number of serious deficiencies in both statutes and suggest how they might be overcome.

First, the opinions indicate that section 241 may not cover purely private actions which interfere with 14th amendment rights. At the same time, a majority of the Justices made it clear that Congress could constitutionally enact a statute reaching private conduct denying such rights. H.R. 2516 is such a statute and would—as a majority of the Court said was constitutionally possible—cover racially motivated acts of violence which do not involve participation or connivance of public officials. It has long been settled, of course, that Congress may prohibit private interference with Federal rights based on Congress legislative authority under article I, such as the power to regulate commerce.

Second, the Guest decision also called attention to the serious "vagueness" problem that has always been inherent in both sections 241 and 242. These statutes are both worded in general terms. They seek to protect a whole panoply of Federal rights, including—without specification—rights under the 14th amendment. The very purpose of the provisions has often been thwarted. The remedy is to clarify the statutes. As Mr. Justice Brennan said, commenting on this "specific intent" requirement in his concurring opinion in the Guest case:

> Since the limitation on the statute's effectiveness derives from Congress' failure to define—with any measure of specificity—the rights encompassed, the remedy is for Congress to write a law without this defect . . . [I]f Congress desires to give the statute more definite scope, it may find ways of doing so.

This is an invitation to Congress to act to clear the vagueness of the old statute.

H.R. 2516 meets this need; it specifies the kinds of activities to be protected and eliminates the unduly restrictive requirement of proving specific intent in each case.

It is clear that Congress may provide criminal penalties for inteference with the exercise of rights arising out of the relationship between the citizen and the Federal Government, or arising from statutes enacted pursuant to the congressional power to regulate commerce under article I, section 8, of the Constitution. These sources of power provide ample authority for the statute's prohibition of interference with such activities as voting in Federal elections use of interstate carriers, employment, and access to public accommodations.

There remains the question whether Congress has power to prohibit private interference with the exercise of the 14th amendment rights. Such rights include for example nondiscriminatory treatment in public schools and facilities. The recent Supreme Court decision in Guest dispels any doubt on that score. There six Justices expressly declared that Congress has the power, under section 5 of the 14th amendment, to reach interference with the exercise of 14th amendment rights whether by public officials or private individuals.

Like all criminal statutes, the purpose of H.R. 2516 is not only to punish, but to deter. I believe this legislation represents an assumption of Federal responsibility in an area which is long overdue. I urge its adoption.

Mr. HAYS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Sixty-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll. No. 215]

Andrews, N. Dak.	Dulski	Passman
Baring	Everett	Pool
Blatnik	Feighan	Purcell
Brademas	Gallagher	Resnick
Burton, Calif.	Hansen, Idaho	Sisk
Casey	Jonas	Teague, Tex.
Conyers	McCulloch	Tenzer
Corman	Martin	Tunney
Cowger	Matsunaga	Williams, Miss.
Diggs	Minshall	
	Murphy, N.Y.	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, 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. 2516, and finding itself without a quorum, he had directed the roll to be called, when 401 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. CELLER. Mr. Chairman, I yield myself 4 minutes.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I thank the gentleman for yielding. I would like to ask a couple of questions at this point. Section 245, page 6, line 10, begins by stating—

> Whoever, whether or not acting under color of law, by force or threat of force, knowingly—

Can the gentleman tell me why the words "under color of law" are utilized in this particular instance?

Mr. CELLER. That language is intended to cover officials as well as private individuals—sheriffs and other law-enforcement officers.

Mr. WAGGONNER. Can the gentleman tell me why the language is necessary?

Mr. CELLER. Why? Because we have had cases in which law-enforcement officers have failed to do their duty, and have really aided and abetted those who have, by force and violence, sought to abridge the rights of others. As an example, I cite the famous incidents in Grenada, Miss., in 1966. In that case children endeavored to go to a public school, and the local officials, watching the proceedings, practically connived in the outrages that were performed against those children who were seeking to go into an integrated school. That case could be multiplied by a number of other cases.

Not only that, but let me point out that we are following precedent. I mentioned before the 1870 statute, which is section 242 of title 18, and which reads as follows:

> Whoever, under color of any law, statute, ordinance, regulation—

Does thus and so. The language here is nothing new.

Mr. WAGGONNER. Then it would be true that people who are guilty of infractions as specified in this proposed legislation would be just as guilty if the wording of this sentence were changed to read—

> Whoever by force or threat of force knowingly—

Does these things? Would not everyone, both public officials and private individuals be included?

Mr. CELLER. Possibly so; but to make it crystal clear, we indicate that officials and those who act under color of law as well as private citizens are included.

Mr. WAGGONNER. Is it not true that these eight areas of interference as specified in this proposed legislation are already provided for in Federal law?

Mr. CELLER. Yes, but those statutes do not make the attempt to interfere with those rights by force or threat of force a crime. For that reason we specify these eight different areas of Federal concern. If these activities are engaged in by an individual, if he pursues them lawfully and he is interfered with in the pursuit of them by force or threat of force, a Federal crime is spelled out.

Mr. WAGGONNER. Mr. Chairman, does the gentleman not believe if the wordage is left in this legislation as it is now drafted, he will actually tie the hands of local law enforcement people?

Mr. CELLER. I do not think so. We will offer an amendment that this bill will not pre-empt State law and State law will continue to be in effect.

Mr. WAGGONNER. Is this to be a committee amendment?

Mr. CELLER. That is going to be offered, yes.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Mr. Chairman, the gentleman in his original statement referred to acts of force against people because of their race, color, or religion in peaceful demonstrations. I have since examined the bill, and I do not know whether I am sure just what he means by peaceful demonstrations. We have had many demonstrations which certainly were not peaceful. Where in the bill is

the language found that refers to peaceful demonstrations?

Mr. CELLER. We use the word "lawfully." It must be action that is lawful. If the demonstrations are unlawful, then there would be no protection.

Mr. ABERNETHY. I do not find any language at all regarding the so-called lawful demonstrations.

Mr. CELLER. If the gentleman will read paragraph (a) on line 12 on page 6, it says:

(a) injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any person because of his race, color, religion, or national origin while he is lawfully engaging or seeking to engage in—

And that applies to some eight specified types of activities.

Mr. ABERNETHY. The gentleman intended, did he not, to refer to the so-called marches? Is that the kind of demonstration you are talking about?

Mr. CELLER. Let us read on page 8 from line 10 down, which says:

(b) injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any person (1) to discourage such person or any other person or any class of persons from lawfully participating or seeking to participate in any such benefits or activities without discrimination on account of race, color, religion, or national origin, or (2) because he has so participated or sought to so participate, or urged or aided others to so participate, or engaged in speech or peaceful assembly opposing any denial of the opportunity to so participate;

I might say to the gentleman that I have agreed with the gentleman from Florida concerning a clarifying amendment that will be offered. The gentleman from Florida will offer that, and I yield now to the gentleman from Florida, so he may explain his amendment.

Mr. CRAMER. Mr. Chairman, will the gentleman yield at this point?

Mr. CELLER. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I was concerned about the same point the gentleman from Mississippi raised, in that the bill refer to "speech or peaceful assembly" specifically. This obviously could run counter to the antiriot bill if it were not properly defined. I intend at the proper time—and I understand there is agreement between the distinguished chairman of the committee and the ranking minority member on the committee—to offer an amendment which will read as follows:

(b) As used in this section, the term "engaged in speech or peaceful assembly" shall not mean the urging, instigating, or inciting of other persons to riot or to commit any act of violence in furtherance of a riot.

I think this will answer the problem and the justifiable questions raised by the gentleman from Mississippi.

Mr. CELLER. I think there is really no problem with the bill as presently drafted, but I yield to the gentleman from Florida. His language may clarify it further.

Mr. ABERNETHY. Mr. Chairman, I would like to ask the gentleman one more question.

A conviction under this legislation, should it become law, would require, first, proof of force or the threat of force and that the force or threat of force was exercised; and, second, force, or threat of force against one because of his race or creed or color or national origin or religion? In other words, those elements first would have to be proved.

Mr. CELLER. And, third, the victim must be lawfully engaged in participating in one of the eight specified categories.

There are three conditions precedent.

Mr. ABERNETHY. And it must be done knowingly, of course.

Does the word "force" or the words "threat of force" and also the words "race, color, religion, or national origin"——

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. CELLER. Mr. Chairman, I yield myself 1 additional minute.

Mr. ABERNETHY. Do these elements also apply to subsections (b) and (c) on page 8?

Mr. CELLER. No; there the reference is to the specified activities, not to race.

Mr. ABERNETHY. I did not understand.

Mr. CELLER. It relates to the activities, not to race.

Mr. ABERNETHY. The language on page 8, line 15, says "discrimination on account of race, color, religion, or national origin," and unless the interference had been attempted by the indicted person because of race or color and so on, I cannot understand how there could be a conviction.

Mr. CELLER. Lines 10 and following, in subsection (b), relate to civil rights workers and others who encourage individuals to engage in the activities specified in the bill. There is no racial motive required to punish the assailant in such cases.

Mr. ABERNETHY. I thank the gentleman. I would like to add that I think this is a very bad bill and should be defeated. This is just another yielding to the violent "black power" element which is destroying our country.

Mr. McCULLOCH. Mr. Chairman, I rise to support H.R. 2516 and hopefully to complete the task we began last month when we passed H.R. 421, the antiriot bill. Our task, today, is to condemn and to provide Federal criminal sanctions for forcible, or threats of forcible, interference with the exercise of enumerated Federal rights and to provide increased penalties for violations of sections 241 and 242, title 18, United States Code.

The able chairman of the House Committee on the Judiciary has described such enumerated rights and I shall not repeat them.

I expressed my regret in committee when two provisions of a single bill that were fashioned out of the single problem of lawlessness were separated, since that separation implied that Negro lawlessness and white lawlessness were to be treated and considered in a different manner. The additional views to the report of the Judiciary Committee on H.R. 2516 declared that:

Those who by force, violence, and threats interfere with the equal enjoyment of civil rights and those who incite riots and lootings share a common guilt. For both resort to tactics repugnant to our lawful traditions and reprehensible to our people.

The struggle of the Negro in America has been long and, at times, discouraging. From that day, so long ago, when the first prison ships brought the Negro to our shores, until today—though now free—the Negro, with few exceptions, has been lawfully and peaceably assembling and petitioning for a redress of his grievances.

Mr. Chairman, the bill before us is designed to prohibit and to penalize the infringement, by force or threat of force, of the free and lawful exercise of federally declared fundamental rights. I hope that the 347 votes that condemned violence in supporting the antirio legislation on July 19 will so condemn violence again today.

H.R. 2516 would give real protection against both private and governmental wrongdoing to those lawfully enjoying their constitutional and statutory rights.

Mr. Chairman, I commend this legislation to all my colleagues who love liberty and freedom under law, not only for themselves but for all their law-abiding fellow countrymen, as well.

Mr. MacGREGOR. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS of Maryland. Mr. Chairman, the distinguished gentleman from Ohio, the ranking minority member of the Judiciary Committee [Mr. McCULLOCH], is necessarily detained at a meeting of the Commission to advise the President on the riots. He is, therefore, unable to participate at this point in the debate. He has requested that I seek unanimous consent that his remarks may appear in the RECORD following the remarks of the gentleman from New York [Mr. CELLER], the chairman of the Judiciary Committee; and I make that unanimous-consent request.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. MATHIAS of Maryland. Mr. Chairman, I believe it should be a relief for the Members to address themselves to legislation in the field of race relations which is not born of riots, which is not a response to riots, and which has a lasting value that transcends the emotions of a riotous hour.

This bill was needed before the riots in Newark and Detroit, and it will be of use and merit when the unhappy memories of those cities have dimmed with time.

There is nothing new about this legislation. It was before this body last year. With certain minor differences, this is the portion of title V which we who were here last year approved and adopted but which was omitted from H.R. 421 when we considered it recently.

By approving this bill we will merely be ratifying the action we took a year ago when we passed the omnibus civil rights bill of 1966, including this very provision.

The vote on that bill last year was decisive, 259 ayes and 157 nays. It is my hope that the action of the House

will be equally decisive in approving this particular legislation this year.

The law in America has traditionally served us as both a shield and as a sword—as a sword to protect our citizens and our civilization.

Mr. RARICK. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 216]

Andrews, N. Dak.	Everett	Pool
Baring	Felghan	Purcell
Blatnik	Gallagher	Resnick
Brademas	Hardy	Teague, Tex.
Burton, Calif.	McCulloch	Tenzer
Corman	Matsunaga	Tunney
Diggs	Minshall	Williams, Miss.
Dulski	Murphy, N.Y.	
	Passman	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, 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. 2516, and finding itself without a quorum, he had directed the roll be called, when 408 Members responded to their names, a quorum and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Maryland [Mr. MATHIAS] is recognized for 3 minutes.

Mr. MATHIAS of Maryland. Mr. Chairman, the law in America has traditionally served us as both a shield and a sword—as a shield to protect our citizens and our civilization, and as a sword to strike down injustices, inequities, and arbitrary uses of power or force. This legislation is in full accord with that tradition. It is in keeping with our actions here during the past few months. It is, finally, in keeping with the actions of the Congress here during the past several years, when we have taken many historic steps to make the sword of law more just and the shield of law more certain.

Four weeks ago we passed H.R. 421, the so-called antiriot bill, extending Federal police powers to meet the threat of the interstate agitator and the itinerant apostle of violence. As I noted during debate on H.R. 421, that bill and this legislation are complementary. Just as that measure proscribed certain types of unlawful conduct, so does this bill protect legal actions. Through H.R. 2516, we are declaring that we shall maintain law and order not only for the benefit of the majority, but also for the protection of all who, espousing majority or minority views, choose to travel the paths of peaceful protest, lawful advocacy, and legal assertion of their guaranteed civil rights.

By enacting this bill, the Congress will be stating positively that there are alternatives to violence for the advocates of equal rights, and that those alternatives shall be maintained through the full force of law.

Mr. Chairman, during the past decade we have acted firmly to extend to all Americans basic constitutional rights—the right to vote, the right to use public accommodations, the right to obtain an equal public education, the right to seek employment, the right to participate in federally supported programs of all kinds. We have struck down the legal barriers of prejudice and discrimination, but we have not yet removed the barriers of fear. We have dispelled the clouds of legal inequality, but we have not yet driven away the shadows of violence, intimidation, and harassment which for so long have been the companions of bigotry.

Although we have guaranteed equal rights through law, these rights will not be guaranteed, in fact, as long as citizens hesitate or fear to exercise them. They will not be guaranteed as long as their champions are subject to assault, intimidation, and illegal interference.

This bill, H.R. 2516, has an honorable history. It arose from the clear evidence that existing Federal law against criminal assaults on account of race is tragically inadequate. The defects in sections 241 and 242 of title 18 were noted by the Civil Rights Commission as long ago as 1961, and many language changes have been recommended ever since to fill the gaps and plug the loopholes which have so snarled and frustrated enforcement of these provisions.

Mr. Chairman, more than a year ago, on March 6, 1966, 19 of my colleagues in the 89th Congress joined me in introducing the Civil Rights Law Enforcement Act of 1966. In a statement released at that time, we declared:

It is empty to declare our commitment to equal rights if men and women can be persecuted for exercising those rights.

It is insufficient to pass laws implementing the Constitution so men can disobey the letter of those laws and subvert their spirit with impunity. It is futile to take civil rights controversies from the streets into the courts if the administration of justice lacks uniform equity and force.

Language to strengthen the criminal laws against racial violence was one major part of the bill we introduced at that time. It was a major part of the proposals submitted by the administration after the Price and Guest decisions were handed down by the Supreme Court later that spring. As title V of the Civil Rights Act of 1966, such legislation was approved by your Judiciary Committee last summer and passed by this House.

In short, H.R. 2516 has long enjoyed nonpartisan support and strong backing in this body. There is every reason to reassert that support today.

Mr. Chairman, the civil rights activities protected by this bill are entirely lawful ones. The rights itemized are those guaranteed by the constitution, and the means of advocacy protected are those secured by the first amendment. The actions proscribed are lawless actions—violence, threats, intimidations—whether carried on under color of law, or through the private deeds of hoodlums, snipers, and vigilantes. The reach of this statute is clear and its application definite, as the coverage of a criminal statute must be. This is an extension of Federal police powers which is, in my judgment, vitally needed and fully justifiable.

I would hope, as all Members hope, that such a law will seldom be invoked. I trust that, by declaring today our intention to protect those who would exercise their legal rights, we will discourage the kinds of criminal assaults which have tragically gone unpunished in the past. I trust that, by enacting this legislation and declaring our intention to enforce it, we will reduce or remove the need to do so. But only by sharpening the sword of law against violence can we be secure in the protection of the shield.

At the proper point in this debate I would like to include in the RECORD at this point the text of the statement issued by 20 Republican Members of the House in March 1966:

STATEMENT OF MARCH 6, 1966, BY 20 REPUBLICANS

SIGNERS

Charles McC. Mathias, Jr., Maryland.
Alphonzo Bell, California.
William T. Cahill, New Jersey.
Silvio O. Conte, Massachusetts.
Florence P. Dwyer, New Jersey.
Robert F. Ellsworth, Kansas.
Peter H. B. Frelinghuysen, New Jersey.
Robert P. Griffin, Michigan.
James Harvey, Michigan.
William B. Widnall, New Jersey.
Frank Horton, New York.
Theodore Kupferman, New York.
William S. Mailliard, California.
Joseph M. McDade, Pennsylvania.
F. Bradford Morse, Massachusetts.
Charles A. Mosher, Ohio.
Ogden R. Reid, New York.
Howard W. Robison, New York.
Robert T. Stafford, Vermont.
Richard S. Schweiker, Pennsylvania.

STATEMENT

We can no longer postpone fulfillment of our national pledge to liberty and justice for all.

In the Civil Rights Acts of 1957, 1960 and 1964, and in the Voting Rights Act of 1965, the Congress and the nation reaffirmed and reasserted the American commitment to protect the civil rights of all citizens and to enforce equal protection of the laws. These historic Acts, if enforced, will remedy many ancient wrongs. But events of the last twelve months demonstrate that *the courts do not yet have all the legal tools necessary.*

It is empty to declare our commitment to equal rights if men and women can be persecuted for exercising those rights. It is insufficient to pass laws implementing the Constitution if men can disobey the letter of those laws and subvert their spirit with impunity. It is futile to take civil rights controversies from the streets into the courts if the administration of justice lacks uniform equity and force.

We need not recount the many courageous Americans who have suffered arrest and prosecution in courts of our land for the peaceful assertion of their rights and for the lawful encouragement of the rights of others. We need not relate those cases in which violence, spurred by bigotry, has gone unpunished.

It is time for us to guarantee that justice will be done throughout the land.

The Civil Rights Law Enforcement Act is a progressive measure, built upon the foundations which we laid in 1957, 1960, 1964 and 1965. We do not seek to supersede the authority of state courts—we *do* seek to insure that they will meet their full responsibilities, and that relief can be obtained when they do not.

Justice is distant when the administration of justice is not everywhere equitable and temperate. Through the Civil Rights Law Enforcement Act of 1966, we seek to bring closer the day when justice will be assured for all Americans.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS of Maryland. I am glad to yield to the gentleman from New York.

Mr. REID of New York. I commend the gentleman for his initiative over the years in this field and for the clarity and expertise of his presentation today.

Little should need to be said here this afternoon with regard to this bill's merits. For we have engaged in debate on its provisions during the course of consideration last session of the Civil Rights Act of 1966. This bill contains substantially the same provisions as were contained in title V of that act.

The object of the bill may be simply stated; and yet it promises to have far-reaching implications. The purpose of the bill is to provide Federal criminal penalties for interference—by force or threat of force—with the free exercise of certain enumerated Federal rights. Among these are the right to vote, to enroll in or attend a public school, to apply for or enjoy employment, to use the facilities of a common carrier, and to enjoy the services of public accommodations.

No American, Mr. Chairman, should be subjected to intimidation or interference with the free exercise of these rights because of his race, color, religion, or national origin. That such incidents still occur in parts of this land is a national shame. As I and a group of colleagues on our side of the aisle stated, on March 6, 1966, in introducing the Civil Rights Law Enforcement Act of 1966:

It is empty to declare our commitment to equal rights if men and women can be persecuted for exercising those rights. It is insufficient to pass laws implementing the Constitution if men can disobey the letter of those laws and subvert their spirit with impunity.

I am shocked that this afternoon's debate has been marred by an all too blatant attempt to impede progress on this measure. I should think it would have taken us little time here today to pass legislation which would put the full force of the Federal criminal apparatus behind a prohibition of forcible interference with civil rights.

Mr. CELLER. Mr. Chairman, I yield 15 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, the bill which we have before us is, as has been said by the chairman of our committee, a rehash of a portion of the so-called Civil Rights Act of the last Congress. The present proposal is what was referred to as title V in the former proposal. It did pass the House, but fortunately wisdom prevailed on the other side of the Capitol and it did not become law. It is my fervent hope that if the House should go along with this legislation, the other body will do as they did in the last Congress and not approve it.

The present bill as written has one glaring omission which was pointed out by me in testimony before the Committee on Rules in that it does not have an anti-preemption provision. As now written, this bill would practically strike down law enforcement jurisdiction in every State of the Union in a broad field of criminal jurisprudence.

At the appropriate time an amendment will be offered which will take care of that situation. I am delighted to say that the chairman of the committee—and I am sure he has cleared it with the minority—will accept that amendment. At least we will then maintain some semblance of responsibility in the States.

Practically every area of crime and law enforcement mentioned in this bill is peculiarly within the province of the States of the Union. The Central Government has no proper role to fulfill in these areas.

It has been said that we already have Federal legislation similar to this on the books. As you have noted in the committee report, on page 8, the existing law very clearly refers to "rights, privileges, or immunities secured or protected by the Constitution or the laws of the United States." Previous Congresses have limited themselves appropriately to this area.

One of my criticisms of the present legislation—and it is merely one of many—is that it extends the doctrine of the present law to State programs, local programs, State courts, and every other type of local activity. I submit that the items covered in this bill does not constitute a proper area for Federal legislation.

If you will glance at your bill, you will note that at the outset the committee has used the words "under color of law." There is a very good reason why the proponents of this legislation have done that.

The Supreme Court of the United States has stretched that term to cover a broader field than was true in earlier decisions. I note in the Price case, which was handed down, I believe, in March of 1966, that Mr. Justice Fortas says that "contrary to previous decisions 'under color of law' now extends" as he said, "to private persons jointly engaged with State officials in the prohibited action while acting 'under color of law' for the purpose of the statute. To act 'under color of law' does not require the accused to be an officer of the State."

And, in a footnote, it is said that in previous decisions, "under color of law" has been defined as the same thing as State action. But now, under this new doctrine, it includes private persons.

Also, Mr. Chairman, this bill injects something that one does not find in the Constitution of the United States. That is the term "religion." I do not know why my friends who are members of the Committee on the Judiciary desire to inject the term "religion" into this legislation.

If one will note, the bill creates a Federal offense to interfere with, intimidate, or injure anyone in voting or qualifying to vote, qualifying or campaigning as a candidate for elective office, or qualifying or acting as a poll watcher or an election official, in a primary special or general election. If this bill becomes the law of the land, anyone who interferes with a member of the opposite race, or a race other than his, with reference to an argument that that individual is trying to make—a political speech, for instance, may wind up in the Federal prison.

Mr. Chairman, if Rap Brown, or others of his type, should appear at a rally at which the chairman of this committee, the distinguished gentleman from New York [Mr. CELLER] is making a speech and seeking the political support of the audience, and Brown interferes with him by referring to the fact that he is a "whitey" or by referring to his religion, then immediately—if we are to construe this proposal as it is written—that individual will be charged with a Federal offense. He could be imprisoned for a period of up to 1 year. If, by chance, he threw an egg at the distinguished chairman of the Committee on the Judiciary, and if that egg broke the skin on the head of the chairman in some way in which it could be construed as "bodily injury," then the accused would be subject to imprisonment for a period of up to 10 years.

Now, Mr. Chairman, this seems to me——

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from New York.

Mr. CELLER. Would not the same set of facts apply to you in your own State of North Carolina?

Mr. WHITENER. What facts?

Mr. CELLER. Well, you were delineating certain facts which would apply to me under a certain set of circumstances.

Mr. WHITENER. If you threw at me and called me the same things, and attempted interfering with one of my speeches, the present bill might then place him in jeopardy whether in New York or in North Carolina.

And, Mr. Chairman, if there is anything for which the State has a right and a responsibility to oversee, it seems to me that it is local elections.

However, under this proposed statute, it could be used by an unworthy Federal official as a guise for interference with every city, State, local, and county election in America, because it says if anyone is attempting to interfere with the voting, and so forth, and then you go on to the specific provision to the effect that if you interfere with anyone attending any public school or public college, the act would apply.

There, I think again, it is a basic responsibility of a State or of a local government to see that no one interferes with an individual attending a school, public or private, or a college.

Now, Mr. Chairman, some question has been raised about the definition of a public college. I think the chairman of the committee and the gentleman from Minnesota [Mr. MACGREGOR] will probably want at this time to make the legislative history to the effect that when we use the term "public college" we are using the definition which is now contained in the law, and that is we mean by "public college" an institution which is supported by public funds and not one which is supported and which is operated by private funds.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman.

Mr. ROGERS of Colorado. I believe the definition of a "public college" is defined in Public Law 88–352 under title 4–c where it says——

Mr. WHITENER. The gentleman means section 401(c)?

Mr. ROGERS of Colorado. Section 401(c) of title IV; yes.

Where the word "public college" means any institution of higher education or any technical or vocational school above the secondary school level, provided that such public school or public college is operated by a State, subdivision of a State, or governmental agency within a State, or operated wholly or predominantly from or through the use of governmental funds or property, or funds or property derived from a governmental source.

I think the gentleman has contributed to the proper definition that we intend in this legislation.

Mr. WHITENER. I take it that that is what the chairman of the committee and the gentleman from Minnesota who is handling this legislation for the minority side would say is meant by the term "public college" or "public school" in H.R. 2516.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. The definition the gentleman is now speaking about is the same as in the 1964 act. Speaking for the minority, we intend no different definition of the phrase "public school" and "public college" in the consideration of this bill.

Mr. WHITENER. I wonder if the chairman of the Committee on the Judiciary would agree that that is the intent of the proponents of this legislation? I have already heard from the gentleman from Colorado who, if I may repeat for the Chairman, says that the definition of "public school or college" is as contained in section 401 (c) of title IV of Public Law 88–352 is what is intended to be covered by the words "any public school or public college."

Mr. CELLER. That is right.

Mr. WHITENER. Now we have at least clarified that, but then we go on to the other sections of the bill.

It would make it a Federal offense for anyone to interfere with anyone on account of race, color, religion, or national origin in participating in any program, facility, or activity provided or administered by the United States or by any State or subdivision thereof. It goes further than that; it says "any privilege." This is a matter, I submit, that is not properly a Federal function.

Then in subsection (4) it extends this doctrine to cover applying for or enjoying employment, by any private employer or by any State or subdivision or using the services or advantages of any labor organization or any employment agency—not a Federal employment agency—not a State employment agency, but perhaps a private employment agency.

Then to make a bad matter even worse, in subsection (5) it gets the nose of the Federal Government into the local courtroom because this provision would make it an offense for anyone to interfere on account of race, religion, or national origin with anyone serving, or attending upon any court as a grand or petit jurior in any court of the United States or of any State.

What more fundamental responsibility does a State have than to protect those who must serve on the jury, either grand or petit jury, or in connection with other possible services such as witness attendance? Yet my friends would extend the Federal jurisdiction to that.

And so we go, with other provisions here. Not content to say that an individual is entitled to have the Federal Government punish individuals who interfere with a person enjoying a lunch counter or soda fountain or a hotel, it goes further and says that it is a Federal crime for one to interfere with one in any other establishment which serves the public and which is located within the premises of any aforesaid establishments, or within the premises within which it is physically located in any of the aforesaid establishments.

So if you have a building with a lunch counter in it, you could be guilty of a Federal offense if somewhere on the ninth floor you meddled around with somebody who happened to be of a different race, religion, or color than you.

Before closing, I want to mention something which was very forcibly brought to the attention of the Committee on Rules by the gentleman from New York [Mr. DELANEY]. This is something I think we should all give some thought to.

This bill provides, if you commit the Federal offense which is created by it, and if bodily injury results, that you shall be fined not more than $10,000 or imprisoned not more than 10 years.

My friends, there are degrees of bodily injury. I do not know what the law is in other States, but in my State when one commits an assault with a deadly weapon unless a serious injury is inflicted, it is deemed a misdemeanor. If a serious injury is inflicted, then it is a felony.

So it seems to me, to say that if in one of these so-called peaceful assemblies, some colored man yells something at a white man and as a result of that one of them gets scratched, or the victim of the insult gets scratched up, the offender could be put in the penitentiary for 10 years. It seems to me that is rather harsh.

It seems to me the committee should on its own motion amend this language to at least provide that there must be a serious bodily injury inflicted before the court could impose a penalty of such severity.

I have so many quarrels with my friends on the committee about punishment. When we bring a crime bill in here to do something about robbery, rape, or murder, some of my friends just scream and shout about how cruel it is, and say that you should not do this sort of thing. And they say that if you want to have a statute which imposes additional punishment on one for repeated commission of criminal offenses, they say that that is not the right way to do—and that we have to rehabilitate these poor folks and that they are culturally deprived and all that kind of business.

But yet when we get into this field of civil rights legislation, then we want to send an offender into the penitentiary for 10 years.

This is neither the time nor the place to be considering this type of legislation.

Throughout our country today there are men of bad will who have taken advantage of the efforts of many of you who have tried to be of help to them in so many ways. As thanks for what you have done, you have become the object of their ire, as they speak from the platforms throughout the country and they are saying that hereafter any support from you should be eschewed and not tolerated—and they are creating riots in your communities at the same time you are advocating this kind of legislation. I do not think that we should pass this kind of legislation to leave the impression and the image with the people of America that you are trying to put a further cloak of protection around those who by previous conduct have proved themselves unwilling to comply with the rules of an orderly society.

Mr. ABBITT. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman.

Mr. ABBITT. Mr. Chairman, I commend the gentleman from North Carolina for his splendid statement and his fine analysis of this legislation.

I wholeheartedly support and endorse the views that the gentleman has expressed.

The present so-called civil rights bill should be in fact dubbed an open invitation for more riots. Apparently some of our leaders feel that whenever we have a problem it is only necessary to pass more legislation, appropriate and spend more money and everything will be all right. This is far from true. Ever since we started in the field of civil rights legislation giving special privileges to certain minority pressure groups we have been having trouble with civil disobedience. We do not need more civil rights legislation—we need more civil responsibility and a determination on the part of the leaders to see that peace and good order are restored to our Nation. It cannot be done by giving money to those who refuse to work or do not desire to work or by passing more legislation setting up special privileges and rights for certain groups.

We already have ample laws on the statute books that would adequately take care of all of the rights of all of our people if properly enforced. I am one of those who believes that the so-called Civil Rights Commission has done far more harm in fomenting trouble and building up tensions than it has good in bringing peace and order to the Nation. It is time that the Congress, the executive department, and other leaders as well as elements of the Federal judiciary start thinking about the rights of the ordinary citizens and the necessity, if we are to survive as a great nation, of maintaining peace and order and a respect for the laws of the land. This bill will hamper law-enforcement officials in carry-

ing out their duties. It will tend to discourage peace officers from making arrests of anyone who pretends to be clamoring for his rights. It is the wrong approach as well as the wrong time.

We need a determination on the part of our leaders and all law-abiding citizens to see that the average citizen is protected from irresponsible hoodlums raging throughout the streets of our cities. We need to stop telling certain elements that they have been discriminated against for generations and, therefore, the Government owes them whatever they can get or take by force. We must stop our officials from encouraging the riots by excusing criminal behavior. We must do whatever is necessary to have a return to respect for law and order. It will take stern measures but we have the ability to do it if the proper steps are taken, the necessary laws enacted as well as proper protection given to law-enforcement officials.

We must realize that this Nation is too great an institution to be torn down by the hoodlums who are rioting, burning, looting, and killing in our streets unmolested in many instances because of political expediency on the part of the politicians. The riots have gone beyond the pale of politics. Now there must be a demand on the part of the average citizen for a restoration of law and order—a demand so loud and clear that even the politicians will hear and heed.

I hope this bill in its present form can be defeated. We do not need any more laws to protect the Rap Browns, Stokely Carmichaels, and company. I favor an amendment to this bill having as its purpose the protection of the law officers. We need to make it a crime to interfere with, molest or to try to intimidate a peace officer when he is attempting to enforce the law, to stop lawlessness or to put down riots. Our law officers have certain rights that need protecting by the Government. Apparently many of our leaders have no thought as to the dangers confronted by law enforcement officials but are simply interested in protecting among others those very people who are fomenting trouble, building up resentment, hatred and prejudice. Instead of protection they need to feel the strong arm of the law and our officers need the support of the rank and file of our citizens and particularly the leaders of the Nation. These leaders need to speak out and demand a return to respect for law and order and demand that peace officers be protected when they are carrying out their solemn duty.

Mr. WHITENER. Mr. Chairman, I appreciate the gentleman's remarks.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. PICKLE].

Mr. LENNON. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and fifteen Members are present, a quorum.

The gentleman from Texas is recognized for 2 minutes.

Mr. PICKLE. Mr. Chairman, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Chairman, I am shocked by the irresponsible statement made today by the gentleman from Missouri [Mr. CURTIS] who criticized President Johnson for taking occasional weekend trips to his ranch in Texas.

According to the wire service reports, Mr. CURTIS said that the President began his term of office frugally by turning out the lights in the White House, which was commendable, but now is "wasting" the taxpayer's money by taking flying trips to the LBJ ranch, which is an exaggeration.

The American people do not begrudge their President occasional trips to relax and refresh his spirit from the grueling grind of the Presidency, the hardest job in the world today. In fact, many newspaper columnists and citizens have urged the President to take time out more than he does.

I doubt whether there has ever been a harder working President than Lyndon Johnson. And to complain about his trips, which certainly are no more frequent than by previous Presidents, as Mr. CURTIS inferred today, is a shameful and unwarranted political attack that deserves bipartisan scorn.

Mr. MACGREGOR. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, I thank the gentleman.

The gentleman from Texas had better be sure of his facts before he makes remarks. I do not know what appeared on the news ticker, but I will tell you exactly what was said in the Ways and Means Committee during the exchange of views. I pointed out that symbolism is very important. The President had to exercise and demonstrate the proper symbolism so that the Nation in these critical times would be frugal. I pointed out that during 1964 and 1965 he had been. The symbolism he then used was turning the lights off in the White House.

I pointed out that this symbolism does not exist today. The symbolism instead is exemplified by his trips to his ranch down in Texas. I reiterate the statement here on the floor of the House. It is not irresponsible. What is irresponsible is this administration's failure to give the Congress the information necessary so that we can zero in on this serious fiscal problem. I think the people are going to call this administration to account and, I might say, the Democratic leadership of this Congress that fails to have these administration spokesmen come before the committees of Congress and give us accurate and honest information.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Texas.

Mr. PICKLE. I am sure the gentleman will concede that the previous Republican President made more trips probably than any other President?

Mr. CURTIS. I am not talking about trips.

Mr. PICKLE. The people recognize that. The wire service carried the report.

Mr. CURTIS. Mr. Chairman, I decline to yield further. I demand regular order.

The CHAIRMAN. The gentleman declines to yield further.

Mr. CURTIS. The point is, I was talking in terms of symbolism. I do not begrudge the President a trip. Of course not. I am talking about the symbolism of trying to get this Congress and the people of this country to understand we are in serious fiscal difficulty. It behooves the President to be a leader in this area.

Mr. MACGREGOR. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. MCCLORY].

Mr. MCCLORY. Mr. Chairman, we are in serious condition in this country in many ways besides our economic plight. Certainly we are in serious condition in America with outbreaks and violence which are rampant in a great many of our major cities.

I feel this legislation is directed against violence in our cities and against violence and outbreaks of the type I am sure the gentlemen of the House, as well as I, abhor.

I was a stanch supporter of the antiriot legislation we had before us, because I have a strong feeling that the Federal Government must assume a major role in helping to curb and punish violence in our cities, especially of the type that has been demonstrated in cities such as Newark, and Detroit, and the others. Likewise, I support the exercise of constitutional rights and those civil rights which have been granted and implemented by this Congress.

We have to do everything we can to avoid violence and the use of force. So I feel that a person in the exercise of his civil constitutional rights to attend a public school, to undertake to cast his vote, or to register to vote, or to enjoy public facilities which are supported by taxpayers' funds, or public accommodations, or any of the other rights granted by this Congress and assured by our Constitution—should have his safety guaranteed by Federal law. They should be thus protected against those persons who, through violence or intimidation or interference, undertake to deprive persons of the exercise of those rights.

I would like to quote the committee's statement briefly. It synthesizes the way I feel about this legislation. On page 3, the committee stated in part:

> The bill . . . is designed to deter and punish interference by force or threat of force with activities protected by Federal law or the Constitution. The bill is intended to strengthen the Government's capability to meet the problem of civil rights violence.

It further states:

> The bill would punish violence directed against a person who has not been involved in civil rights activity, but who is selected as a victim in order to intimidate others.

It says also:

> Persons who have duties to perform with respect to the protected activities—such as public school officials, restaurant owners, and employers—would also be protected.

I concur in large part with what my colleague from Illinois [Mr. ANDERSON] said earlier on the floor of the House.

Certainly I dislike all of the activities and the conduct of such so-called civil rights leaders as Rap Brown and Stokely Carmichael. I think we should do everything we can to curb their activities and their outbursts.

I am confident that they are doing a great disservice and to the cause of civil rights, which they purport to be supporting. I say, too, that their conduct makes it difficult at this time for me and for others in my position, or anyone who is supporting this legislation, nevertheless, to undertake to do what we feel is right. Believe me, the position which I am taking in support of this bill is a position which I feel is right, notwithstanding the abuses and the poor judgment and the poor tactics which is being demonstrated by these so-called civil rights leaders to whom I have referred. The Members of the House know as well as I that these leaders are jeopardizing the rights of the minorities through their conduct, but notwithstanding the fact that they are jeopardizing those rights and are hurting their own cause, I think it behooves the Congress, nevertheless, to do what is right constitutionally and legally.

We passed the principal portions of this measure as a part of the 1966 Civil Rights Act.

It was a good bill then, and I feel it is a good bill now, notwithstanding what has transpired.

Mr. Chairman, in my own behalf and notwithstanding the conduct of those fomenters of hate to whom I have made reference, I want to indicate my support for all those who have been or are being deprived of civil rights. We know that threats, intimidation, and force have been employed to deprive citizens of their constitutional rights to vote, to attend public nonsegregated schools, and to enjoy job opportunities, public facilities, public accommodations, and other such rights. We want to protect them and also those who are undertaking to assist those who are trying to exercise and to enjoy the civil rights to which they are constitutionally and lawfully entitled. In this manner we can help to promote educational and job opportunities which in turn, can reduce many conditions of poverty of our disadvantaged citizens.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. RODINO].

Mr. RODINO. Mr. Chairman, I strongly urge approval of the legislation before us to establish penalties for acts of violence or intimidation against persons seeking to exercise their constitutional rights.

The House approved this legislation last year, as title V of the Civil Rights Act of 1966, and in my judgment it is an essential companion to the bill which the House recently passed to penalize interstate travel in aid of riots. These two approaches in our effort to deal with the problem of lawlessness and violence were initially combined in a single bill, which I cosponsored, and we will be very remiss if we do not act now to deal with this other area where law is needed to help eliminate the menace of violence and anarchy from our Nation.

I deplore riots, and the criminal acts and violence, the devastation and destruction, which they generate. The House has acted to meet this threat. It is not sufficient, however, to deal only with the specific problem of rioting.

Mr. Chairman, we must also punish those who commit brutal and savage crimes against individuals engaged in activities which are protected by Federal law or by the Constitution. The violence—and the threats of violence—which have ben used to punish or discourage citizens from voting, from picketing, from using public facilities, and so forth, require no recital here. The Negro child who seeks entrance into a desegregated school in the South needs the protection this measure would afford, as does the white housewife who chooses to exercise her constitutional right to picket the White House in protest to our commitment to South Vietnam.

Mr. Chairman, I believe it is important to stress that this bill would not merely punish interference with persons who are actively engaged in actions protected by law. It would also make it a crime to interfere or to attempt to interfere with any person to discourage him from participating in such activities. In effect, this would prescribe penalties for violence or threats against persons who have been selected as victims in order to intimidate others. This would apply to any instigator of such unlawful actions, whether it is a member of the Ku Klux Klan, a George Lincoln Rockwell, or a Rap Brown who might seek to do violence or to defeat peaceful and lawful efforts. Cambridge, Md., has shown us that the threats of extremists and exhortations to violence can overwhelm the voices of order and reason.

During this most difficult time for our country, we must seek to reestablish a climate of reasonableness and understanding, and we must adhere to an unwavering policy of enforcing the law in every area, and against every act which violates it. Justice and reason demand our approval of this legislation.

Mr. MACGREGOR. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I could not agree more that this bill is brought up in a rather difficult atmosphere. A lot of the Members are going to be hard pressed to support this bill in view of the action taken in recent weeks and months relating to violent civil disturbances, riots, shootings, bombings, and lootings throughout this country.

I do not believe there is a Member here who would vote for it—certainly this Member would not—if he thought in any way it would be an encouragement to those who are preaching violent insurrection, or would be any encouragement to them to continue to do so, or if in any manner it could be construed by any court or by any individual to give the rioters either a defense for their riotous acts or to give them a license or an excuse to continue those riotous acts or to preach riots, insurrection, or violent disobedience in America.

No one is more concerned than I—and I have so evidenced by my sponsorship of H.R. 421 my antiriot bill and my antiriot amendment to the anticrime bill recently—opposing the actions and statements of Stokely Carmichael and Rap Brown and others inciting a riot. I said months ago that Stokely Carmichael believed in insurrection and practiced insurrection, believed in guerrilla warfare, and practiced it, and was teaching it throughout this Nation. A lot of skeptics said that was not true, and he ended up in Havana, Cuba, where he has been preaching insurrection and such down there recently, and guerrilla warfare, and, in fact, he was quoted as saying that "the fighters of an imperialist country are cowards"—meaning all of the people of America, basically, or a majority of the people and including our fighting men in Vietnam. He was quoted as saying:

> They do not like to fight hand to hand, but in the United States they cannot use napalm and bombs, and we will wipe them out.

He was preaching guerrilla warfare. Rap Brown, who was recently in Jacksonville, Fla., was put down there. He was not permitted to create a riotous situation there as he did in Cambridge, Md. Rap Brown said, a week before last:

> Violence is very American; as American as the 4th of July. It is the only way we can show the Honkies we are men.

He caused the riots in Cambridge, Md., and in certain other places.

Then again, Martin Luther King—and I am deeply disturbed to hear him preaching today in this manner—called for "massive civil disobedience." I suggest to Dr. King that his words verge mighty close on insurrection. This is what he is preaching as reported on page 1 of today's Washington Star:

> In order to raise a protest to about this level in the northern cities, it would be necessary to adopt a campaign of civil disobedience to upset the operation of a city without destroying it.

Now, that is insurrection. I would suggest that he reconsider those words and those preachments, because he is coming mighty close to putting himself in the same category and thus rubberstamping himself and agreeing to the activities and the anarchistic preachings of Stokely Carmichael and Rap Brown.

Therefore, I say to you that if I thought this bill in any way did any violence to the antiriot bill recently passed or was, in fact, any encouragement or in any manner was a defense relating to riotous activities and preachments in this country, I would be the first to oppose it and would oppose it vehemently.

I do think, on the face of the bill, substantial amendments have been made purposely to attempt to avoid that construction and to attempt to avoid, although I am not certain it does it, injecting the Federal Government into the position of trying to judge or give course of action against law-enforcement authorities and those acting "under color of law" who are attempting to enforce the law in carrying out their responsibilities. That was the reason the committee amended it. It was to try to make certain that this is not the case. On page

6, line 15, on my suggestion and the suggestion of a Member in the last session of Congress, the word "lawfully" was written in so anyone exercising or attempting to exercise any rights would have to be doing so lawfully. If they were acting unlawfully or disturbing the peace, for example, they would get no protection and have no additional assurance of nonviolence under this bill. So the word "lawfully" was written in with the express intent and purpose of trying to protect law-enforcement authorities who were trying to enforce the law, which all of us must do and which all of us intended to do and to so express ourselves by the passage of the anticrime bill two weeks ago.

Second, still discussing amendments adopted, there was written into this "knowingly," on my recommendation, on line 11, page 6, "that the person must knowingly use force or threat of force to injure and intimidate."

The CHAIRMAN. The time of the gentleman has expired.

Mr. MACGREGOR. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. CRAMER. Third, when this bill came before the House last time, as title V of the Civil Rights Act of 1966, it was not an amendment to title XVIII dealing with crimes but an amendment to the Civil Rights Act. It did not belong there. If it is going to be a crime, it belongs in the anticrime title, title XVIII, and should be subject to all of the definitions and court constructions relating thereto. So that was written in.

I also recommended the exceptions or exclusions written into the present law relating to Mrs. Murphy and the provision about 25 employees which was written into the present Civil Rights Act on the books should likewise be written into this bill because, supposedly, the right being protected here is to exercise these rights without violent opposition, and it should be the same as those rights which we by law have established. That did not pass. There was disagreement on it. Possibly amendments of that nature will be added.

Fourth, the paragraph dealing with open housing which the Congress has never approved as a basic legislated right and which died in the 1966 civil rights bill, was eliminated in this bill on my recommendation as well.

But, fundamentally, Mr. Chairman, these are the matters about which I am concerned. There are two things relating to this bill about which I am most concerned. I am hopeful that amendments will be agreed to to clarify these two questions.

No. 1, the chairman of the Committee on the Judiciary has indicated that he is willing to consider an amendment and possibly accept my amendment modifying the language relating to freedom of speech and peaceful assembly to prohibit inciting a riot which language to be amended appears on page 8 of the bill beginning with line 10:

(b) injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any person (1) to discourage such person or any other person or any class of persons from lawfully participating or seeking to participate in any such benefits or activities without discrimination on account of race, color, religion, or national origin, or (2) because he has so participated or sought to so participate, or urged or aided others to so participate, or engaged in such speech or peaceful assembly opposing any denial of the opportunity to so participate;—

Mr. FLYNT. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Ninety-two Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll. No. 217]

Ashbrook	Feighan	O'Hara, Mich.
Ashley	Gallagher	Passman
Baring	Green, Oreg.	Purcell
Blatnik	Herlong	Sikes
Brademas	Holland	Teague, Calif.
Burton, Calif.	Ichord	Teague, Tex.
Diggs	Matsunaga	Tenzer
Edwards, Calif.	Minshall	Williams, Miss.
Everett	Murphy, N.Y.	Willis

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, 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. 2516, and finding itself without a quorum, he had directed the roll to be called, when 405 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Florida [Mr. CRAMER] is recognized for 3 minutes.

Mr. CRAMER. As I was saying at the time of the call of the quorum, I was just getting to the nub of my argument. This argument is that I, obviously, as the rest of the Members of the House, do not intend to approve of or intend to pass or consider any legislation which would condone in any way the statements of either Dr. King today or Rap Brown or Stokely Carmichael in the past, or anyone who invites or incites riots, civil disobedience, looting, killing, and maiming. I said further that I felt there was such an invitation in at least one aspect of the legislation relating to "speech and peaceful assembly."

There was an open invitation to inject the Federal Government into law-enforcement action in the whole bill on page 8 before "lawfully" was inserted. A person seeking to engage in these acts must under my suggested amendment adding "lawfully" be acting lawfully, it being the intent and purpose of that amendment I proposed to make certain that the Federal Government would not be injected as an arbiter or otherwise in local law enforcement functions where the parties arrested or apprehended were supposedly exercising their rights under this bill. Therefore, the word "lawfully" was written in.

There are still considerable reservations by me as to whether that accomplishes the purpose by itself. I am hopeful that the chairman of the committee as well as the Members of the House will give serious consideration to proposals that might be made to spell out clearly and unequivocally the fact that there is no intention on the part of the Congress by the passage of this legislation in any way to inject the Federal Government into local law enforcement functions where an officer in enforcing the law is acting within the scope of his responsibility and acting under color of law.

Second, Mr. Chairman, I am deeply disturbed that this language is in the legislation on page 8, line 18, where it says because the party has "so participated or sought to participate, or urged or aided others to so participate, or engaged in speech or peaceful assembly opposing any denial of the opportunity to so participate;".

It disturbs me a great deal because of the obvious possibility of somebody like Rap Brown doing something similar to what he did in Cambridge, of going in there and preaching at that time that everyone has the right in the audience or assembly that he was talking to of going to every restaurant in town. He could say that they are doing it under the scope of this bill. As a matter of fact, he could say that they have a right not to be resisted. If, he could say, they are resisted, they may have the right to prevent that resistance which is offered or use force in opposition to it.

As a matter of fact, he could conceivably say that they can carry guns in order to prevent someone from forcefully interfering with the exercise of those rights if they are resisted with force. In order to prevent that which has been cited as an example and numerous other examples before the Committee on Rules, and to make certain what is done here is consistent with my antiriot bill, H.R. 421, recently passed, and to make certain that this is not a license for anyone to riot or preach riot. I am proposing an antiriot amendment to clarify the situation. I hope the balance of the bill will be equally clarified.

Mr. RAILSBACK. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Illinois.

Mr. RAILSBACK. Mr. Chairman, I rise in support of H.R. 2516 and wish to commend the distinguished chairman of the Judiciary Committee for introducing this legislation.

It seems only fitting to me that we should recognize and seek to protect the civil rights of those persons seeking to carry out the lawful purposes enumerated in the legislation. It is fitting because we only recently enacted so-called antiriot legislation designed to punish those persons who would incite others to break the law. We must distinguish between the lawbreakers who use invective to incite others to break the law under color of the civil rights cause and those who nonviolently and peaceably within the law try to further the civil rights cause.

Mr. MACGREGOR. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I should like to say to the gentleman from Florida that those of us on the Committee on the Judiciary miss him. The quality of his presentation on this bill to the members of this committee is typical of the distinguished

service that the gentleman from Florida has rendered on the Committee on the Judiciary up through and including the 89th Congress. I wholeheartedly support this much-needed legislation, and I hope that members of this committee would pay great heed to the comments made by Mr. CRAMER and would, when we come to a vote on this legislation, as well as during the amendment process, give heed to improvements where possible, where feasible, and where indicated.

Mr. Chairman, I hope that the language as contained in this bill is so written and constructed as to muster as overwhelming vote as possible on final passage.

Mr. Chairman, the minority side yields back the balance of its remaining time.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana [Mr. JACOBS].

Mr. JACOBS. Mr. Chairman, in recent weeks many expressions of concern have been heard from Members of the House about outbreaks of violence in our cities. Ways and means of adding Federal sanctions to the existing State laws dealing with riot activity are now under consideration. The feeling of many Members is that Federal law enforcement authority should aid in solving this grave national problem.

Today we discuss another critical national law-enforcement problem. Like the problem of violence in our cities, it has caused an ugly scar on the face of our Nation.

When lawless activity has broken out in our cities, the record shows literally thousands have been arrested and convicted. In most cases punishment has been swift. Local authority has, without hesitation, used whatever force was necessary to quell the disturbance.

But today we discuss a situation that is far different. Both Negroes and whites have been assaulted and even killed for attempting to exercise their basic right to equal treatment in our public life. Too often, when such crimes are committed, there has been a failure on the part of local officials to prosecute. At other times, prosecution has been less than zealous. There have been still other instances, I am happy to say, in which courageous prosecutors have made their best efforts to bring the perpetrators of these outrages to justice. But in many cases local juries have refused to convict despite strong evidence of guilt. This local hostility toward persons attempting to exercise Federal rights makes it necessary that we act to fill the vaccum brought on by the failure of local law enforcement. This can be done by lodging clear, specific authority in the Department of Justice to prosecute for interference with activities protected by Federal law and the Constitution.

This legislation would protect persons in their exercise of specific, enumerated rights; rights which are, without any doubt, entitled to the protection of the National Government. It would protect civil rights workers who have aided others in their efforts to secure these rights. It would protect persons who have duties to perform under Federal law—such as school board officials—from being intimidated or injured for having carried out those duties.

Terrorists have, in some cases, threatened to rob citizens of their rights of citizenship. We cannot permit this to happen. I urge, therefore, that H.R. 2516 be promptly enacted.

Now, Mr. Chairman, here is the point. A short while ago we passed an antiriot bill. By passing H.R. 2516, this Government will be showing the country and the world that we direct our restraints, not against one race or another, but against aggressive physical violence.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Chairman, this bill makes it a crime for a person to deprive another of his constitutional rights. It has as its objective to bring an end to injury of another because of his race, color, religion, or national origin. There has been much racial violence recently. Action must be taken to avoid these acts in the future.

Mr. Chairman, the conduct this bill seeks to curb is not limited to the all-too-numerous incidents in which Negroes and civil rights workers have been brutally killed for seeking full exercise of their federally protected rights. Incidents of racial violence are still occurring, still having their intimidation effect in communities where they occur—even when they do not receive the heavy play in the press that attaches to a racially motivated killing.

Programs funded by the Office of Economic Opportunity have been subjected to severe harassment in several communities. For example, on March 12 of this year three buildings, one of them a church, used for Headstart programs, were burned to the ground. Two were located in Lowndes County, Ala., and the other was in Liberty, Miss.

Another program subjected to harassment is the systematic training and redevelopment program—known as STAR. In Leake County, Miss., three STAR training centers—two are churches and the other is a school—have been damaged by explosions and another, the St. Ann's Catholic Church, was t otally burned.

On February 7 of this year, Wharlest Jackson, a Negro employee in the Armstrong Rubber plant at Natchez, Miss., was murdered. Mr. Jackson, who had recently been promoted to a job formerly held only by white employees, was killed when a bomb exploded beneath the driver's seat of his pickup truck as he was driving home.

Violent resistance is commonly encountered when people attempt to gain service at public accommodations without discrimination. In Carrollton, Miss., in February of this year, three Negroes were denied service at a restaurant, chased to their car by the owner and shot at while they were escaping in their car.

During the past school year, dozens of incidents of violence involving recently desegregated schools were investigated by the Department of Justice. Many involved shootings into the homes of families in which a child had enrolled in a previously all-white school. In one household in Holmes County, Miss., a Negro girl who had enrolled in a previously white school was hit by a shotgun blast and is now permanently injured as a result. This incident occurred during the past year. Violence has also been directed against white and Negro teachers who teach in recently integrated schools.

Many such incidents are currently under investigation and it is possible that in some cases, prosecutions may be brought under the present law. There is no question, however, that the bill here under consideration would greatly strengthen the hand of the Department of Justice in prosecuting and convicting the cowardly nightriders who perpetrate these crimes.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, enactment of this legislation is long overdue. Although the Congress passed the historic Civil Rights Act of 1964 and the Voting Rights Act of 1965, neither act made it a Federal crime to injure, intimidate, or interfere with a person because of his race, color, or religion while he is exercising the constitutional rights spelled out in those measures.

H.R. 2516, the bill before us today, is substantially the same at title V of the Civil Rights Act of 1966 which passed the House and was killed in the Senate. It is symptomatic of the climate of the House that, instead of reporting out a comprehensive bill including antidiscrimination in housing and impartial jury selection provisions, the Judiciary Committee has brought to the floor only one title of last year's Civil Rights Act of 1966. And even that is weaker than last year's title V, and it is encountering predictable opposition from those who would perpetuate segregation and discrimination.

Mr. Chairman, racial violence must be made an explicit Federal crime. Incidents of violence too numerous to recite demand such protective legislation because of the failure, or refusal, of Southern States to enforce their own laws and provide requisite protection.

Where local authorities are unable or unwilling to enforce the law, Federal legislation is appropriate and necessary.

Violence is no stranger to the Negro's struggle for equality. Negro citizens in America have long been the victims of unchecked and unabashed brutality. Our overriding distress about today's headlines of civil disorder must not shorten our memories or becloud our vision of the abuses that continue and of the roots of Negro distress. Violence against the Negro is still commonplace in America. This violence was seen, for example, in the brutal murder of the four Negro girls killed in the Birmingham church bombing of 1963; the coldblooded murder of three courageous civil rights workers in Philadelphia, Miss. in 1964; the dastardly murders of Medgar Evers, James Lee Jackson, Rev. James Reeb, Mrs. Viola Liuzzo; and the brazen shooting of James Meredith in 1966 on his lonely march through Mississippi. It has its

roots in the hundreds of Negro lynchings throughout the last century.

Even when Congress was passing crucial civil rights legislation, violence against the Negro went on. Only 9 days after enactment of the Civil Rights Act of 1964, Col. Lemuel Penn was killed in order to frighten local Negroes from asserting their rights. Murders and other wanton acts of violence continue without effective prosecution of the perpetrators.

Nothing could more forcefully show the inadequacy of existing Federal laws to protect the exercise of federally guaranteed rights than the fact that local law enforcement officers and private individuals who have been accused of murdering the three civil rights workers, James Chaney, Andrew Goodman, and Michael Schwerner, have never been indicted for murder in a State court, and have yet to be brought to trial in a Federal court—after 3 years.

I refer members of this committee to the report of the U.S. Commission on Civil Rights, which found that Negroes and civil rights workers are not protected in the exercise of their rights by State and local law enforcement officers, prosecutors, and juries in so many parts of the South.

In its 1965 report, which was entitled "Law Enforcement on Equal Protection in the South," the Commission said, at page 172:

> The Commission's investigation has disclosed that in some communities in the South, local officials have defied the Constitution and repudiated their oath by denying the protection of the laws to Negro citizens. In some instances, law-enforcement officers have stood aside and permitted violence to be inflicted upon persons exercising rights guaranteed by Federal law. In others, prosecutors have failed to carry out their duties properly. In the few cases in which persons have been prosecuted for violence against Negroes, grand and petit juries—from which Negroes have been systematically excluded and which express deeply rooted community attitudes—have failed to indict or convict.

I quote further from the Commission's report:

> The purpose and end of violence and abuse of legal process has been to maintain and reinforce the traditional subservient status of Negroes by discouraging the exercise of the rights of citizenship. The occurrence of even a single instance of unpunished racial violence often serves to deter Negroes in a community from asserting their rights. In these circumstances racial violence injures not only the victim but the entire community.

Mr. Chairman, the need for antiviolence legislation is clear. This legislation which resembles the antiviolence legislation which I introduced in this and past Congresses is designed to deter and punish interference by threat of force with activities protected by Federal statutes or the Constitution. In view of the unwillingness of the States to prosecute the racial crimes that have marked the history of the South, Federal legislation became a necessity. Let us hope that the prospect of effective and prompt prosecution by the Department of Justice will deter any further commission of such heinous crimes.

H.R. 2516 describes each area of protected activity—voting, campaigning as a candidate, and poll watching; public education; public services and facilities; employment; jury service; use of common carriers; participation in federally assisted programs; and public accommodations.

There is a significant omission from this list which was included in last year's title V and in my bill, H.R. 37; that is, housing.

I regret the failure of the Judiciary Committee to enumerate, as it did in title V, section 501(a)(5) of last year's bill—H.R. 14765—"selling, purchasing, renting, leasing, occupying, or contracting or negotiating for the sale, rental, lease, or occupation of any dwelling."

Why has the committee retreated on this issue? By doing so, it will only encourage white suburban neighborhoods to feel free to intimidate Negroes who want to move into these exclusive communities. Is this too controversial an issue for the House to debate and approve? I should hope not.

Again this year the committee has included the word "lawfully" in section 245 (a) and (b). As a number of our colleagues pointed out in their additional views in the report of the Judiciary Committee last year:

> The language unnecessarily excludes from coverage anyone who, in the process of engaging or seeking to engage in any of these activities, violates any letter of the law, however insignificant.

Does this exclude anyone guilty of trespassing, jaywalking, parading without a permit, or other misdemeanors under local laws? Surely this should not be the intent of Congress. I debated this matter on August 8, 1966, and voted for the Edwards amendment to strike out the word "lawfully."

Another word added this year is "knowingly." The act will only apply to those who "knowingly" interfere with the civil rights of others. Why does the Judiciary Committee think it is now necessary to add another restrictive element to the bill? Will the insertion of this word provide a legalism to shield those who interfere and intimidate under the guise of "preserving a good neighborhood" or keeping so-called undesirables from enjoying public accommodations or some other tortured rationale?

My bill, H.R. 37, provides for a Civil Indemnification Board under the U.S. Commission on Civil Rights to provide indemnification of persons whose person or property is injured while exercising, or urging others to exercise, civil rights. The Federal Government has a responsibility to those who are injured in the struggle to attain equal rights for all Americans.

Mr. Chairman, this bill is only a part of the civil rights legislation which should be passed by this Congress. Fair housing, impartial jury selection, school desegregation, and other areas require affirmative action.

Three weeks ago this House sought to deal with the social dynamite in our cities by passing repressive legislation—the so-called antiriot bill. It would be tragic for the House to fail to pass this measure and thus to condone the violence of those who—by denying equality of opportunity—have created the intolerable social and economic ills underlying civil disorder.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I thank the gentleman from New York [Mr. RYAN] for yielding to me at this time. I would like to associate myself with the remarks which have been made by the distinguished gentleman. I wish to commend him for saying some of the things that are on the hearts of many Americans.

It is my opinion that this is indeed a very important piece of legislation. However, let me point out, it is not the greatest civil rights bill which we have ever had under consideration in this body. This bill affords only a very small measure of protection to civil rights workers and minority group individuals. Actually much still remains to be done in this area. Therefore, Mr. Chairman, I would hope that we could pass it without too much further delay.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the gentleman from Mississippi [Mr. MONTGOMERY] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MONTGOMERY. Mr. Chairman, the House is considering a far-reaching civil rights bill today to establish Federal criminal laws which make it a crime to injure, intimidate, or interfere with or attempt to injure, intimidate, or interfere with any person because of his race, color, religion, or national origin while he is lawfully engaging or seeking to engage in everything from voting to seeking private employment.

Mr. Speaker, the Congress in the last few years has preoccupied itself with passing civil rights legislation and programs designed for the benefit of minority groups. The time has come to stop and evaluate what has been done, and to reaffirm the rights and responsibilities of the States to maintain law and order. All the Governors and law-enforcement officials of the South have shown good faith in enforcing the laws of those States regardless of race, creed, religion, or color, and they stand ready to do the same in the future without the passage of Federal legislation and interference.

The South is years ahead of the northern cities in race relations and another law using the South as the whipping boy cannot serve to improve race relations, but only serves to renew and kindle new tensions. It is my opinion that the Congress should not stop and turn its attention to the problems of crime and insurrection in the major cities and the effective enforcement of the statutes which have already been enacted.

Mr. Chairman, I would like to strongly urge by colleagues to oppose this uncalled-for legislation.

Mr. CELLER. Mr. Chairman, I yield 5

minutes to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, the gentleman from New York who just preceded me here in the well has a very convenient and short memory indeed, because he did not recount any of the more recent activities where people have been killed in Harlem, in Newark, in Detroit, and any number of other places. I suppose it is convenient to forget these things one does not want to remember.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. Yes; I will be happy to yield to the gentleman. You are my friend.

Mr. CONYERS. I thank the distinguished gentleman for yielding.

I believe perhaps we are confusing different matters. The gentleman mentioned Detroit, and I believe also Newark. But I believe we are not today talking about the great tragedies that have recently struck our cities. We are talking now about the problem of protecting Americans, both black and white, North and South, who are caught up in an attempt to exercise civil rights that are guaranteed them under existing laws of this country.

Mr. WAGGONNER. Is the gentleman saying that we are talking about preventing things that might happen in the future?

Mr. CONYERS. No; I will say to the gentleman, I only wish that I were.

I am talking about things that have been going on in this country since this great Nation was founded. I am talking about a struggle that we have been trying to resolve ever since this Nation was formed, and it is my belief—my humble belief, sir—that this piece of legislation has nothing whatever to do with the disorders to which the gentleman referred in Newark and Detroit.

This bill addresses itself to the protection of Americans exercising rights guaranteed to them under the Constitution and the laws of this land. This bill would go a small way toward giving those rights some meaningful protection.

The disorders in Detroit and Newark are examples of Americans whose lives of desperate frustration have led them to commit senseless acts of violence. The small numbers of people actually involved in those tragic events were those who have lost hope in America's promise of equal opportunity and equal rights.

If this bill relates to that situation at all it is because today we are trying to protect those individuals who still have their hopes in the fulfillment of the American dream.

Mr. WAGGONNER. Mr. Chairman, I am glad the gentleman asked me to yield, because this allows me the opportunity to read into the RECORD what the future is to be if this legislation is passed. I do not know what it takes for some people to learn what is going on in this country. This country is involved in a revolution.

In this afternoon's Evening Star, there is a front-page news item reported by Paul Hathaway, and it is datelined today in Atlanta, Ga., and this is a quotation from Dr. Martin Luther King—if you want to honor him by calling him a doctor—who has been quoted earlier here today as being a man who has never advocated violence, who has never advocated disobedience.

Listen to what Dr. Martin Luther King advocated today in Atlanta—and this is what you are going to do, and what you are going to be condoning if you pass this legislation—and I want to see somebody defend this statement:

> Dr. Martin Luther King Jr. today called for civil disobedience demonstrations on a mass scale in Northern cities, saying that an unsympathetic power structure has left Negroes no other choice.
>
> Speaking at the 10th annual convention of the Southern Christian Leadership Conference here, King said the civil rights movement must begin a search for new tactics, rejecting both armed insurrection and gradualism.
>
> In a panel discussion on "the crises in American cities," King said civil disobedience has never been seriously organized in northern cities. Too often in the past it has been used incorrectly, usually for publicity purposes, he said.

The article goes on further to say:

> For the first time King appeared to reject the tactics of nonviolence in the North.

Now, my friends, if you pass this proposed legislation you are going to be giving protection to exactly this sort of thing. What do you want in this country? Law and order or violence?

Mr. ANDREWS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman.

Mr. ANDREWS of Alabama. Mr. Chairman, I am sure the gentleman will recall that 3 years ago, in November, if I remember correctly, one of the great Americans of all time, Mr. J. Edgar Hoover, said that this same man, Dr. Martin Luther King, was the most notorious liar in the United States of America. Dr. King immediately said he would demand a retraction of that statement and an apology from Mr. Hoover. As of this day Mr. Hoover has not retracted that statement—and he stands by that statement.

Mr. WAGGONNER. I simply want to say in closing that the trouble that you think has been ours in the South is now yours, and you are buying more trouble with this proposed legislation. Wake up before it is too late. Be concerned for all your people, not just the Negro. The hour is late. I will not go further now.

Under the 5-minute rule tomorrow, I am going to ask for some time to ask some specific questions and propose some amendments to this legislation because, my friends, this legislation as proposed in the long run is going to do more damage to the fabric of commonsense and law enforcement in this country than the civil rights bill of 1964 will ever do.

Mr. CELLER. Mr. Chairman, the last speaker on this side will be the gentleman from Georgia [Mr. O'NEAL] and I now yield 5 minutes to the gentleman.

Mr. O'NEAL of Georgia. Mr. Chairman, our beloved Nation has many frustrating problems. One of them is the alarming and growing enmity between the races that we in the South have been watching with dismay for many years, trying to warn those who did not seem to realize it, and with increasing concern as it grew from surly confrontation to open rebellion and guerrilla warfare on the homefront.

Another problem I would like to mention at this point is the related problem of the police departments in keeping the peace and in attracting competent personnel to a most important, yea, an absolutely essential phase of Government.

The bill does not help solve either problem. It makes both problems worse.

The trouble with the bill in essence and in the overall effect is that it wrongly assumes that every so-called "civil rights worker" of whatever race wears a white hat and that every person of whatever race who claims to be upholding his own civil rights is a Sir Galahad, whose heart is pure and who can do no wrong.

It further assumes that the policeman charged with maintaining order, and the civilian, who has other constitutional rights which may be in conflict with those of the first man mentioned, wears a black hat and has only an evil intent.

These rights that often conflict are not always easily detected and realized. They are often debatable. They cannot be determined with finality by ordinary citizens or ordinary policemen. Indeed, as they are argued in the court itself by trained lawyers, the debate may be sincere and the impartial judges disagree to the point that nothing is decided until done so by the Supreme Court with yet unsatisfactory results.

But this bill stacks all of the cards when they are dealt at the beginning. When the issue first arises.

Contrary to what most people have believed, a great many civil rights workers are troublemakers, purely and simply. They come for trouble. They want trouble. They deliberately bring it about and when they cannot get it one way, they try another because they want newspaper and TV coverage. They keep on until they get it. They want arrests. They could not operate without arrests or riots. So they are insulting. They spit. They curse. They go further. They disturb the peace. They violate city ordinances that are more loosely defined than felonies. They cleverly devise statements and actions that will be debatable on the question of their legality.

The policeman cannot act with the finality of the Supreme Court. He is not required to. He only needs to have "probable cause," but if he is to be sued later or punished by Federal prosecution for an error of judgment, then he is handcuffed at the beginning and is discouraged from acting in necessary cases.

Does the Justice Department intend to hamstring our police officers with guidelines which they must follow closely in order to avoid Federal prosecution?

And consider the private citizen who might be antagonized enough to utter some resentful remarks to the man who breaks up in line ahead of him. This bill could conceivably make it a Federal crime to resent the actions of the wrong person in a cafeteria or theater line. Thousands in this country use their race now for preferential treatment in traffic cases as well as simply boorish conduct.

Although protection against violence may be the purpose for which this bill was intended, it will, in my opinion, produce many unexpected results. Pandora's box never offered anything like this bill, because it encourages excesses by minority groups.

The legislation under consideration would make criminal such undefined actions as "interference," "intimidation," and "attempts to interfere." This bill is, on its face, a criminal statute, purporting to make crimes of all manner of acts or possible acts not clearly defined or specified. Therefore, I personally do not believe that it has the degree of certainty required by the Constitution in order for a criminal statute to be valid.

Mr. Chairman, this legislation will no doubt give the green light to more and more excesses and lawlessness. I urge my colleagues to join with me in voting against a measure which will interfere with our police officers at a critical hour in history.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL of Georgia. I am happy to yield to my warm friend and colleague from Georgia.

Mr. DAVIS of Georgia. I thank the gentleman for yielding. I would merely like to associate myself with the remarks of my colleague from the State of Georgia and urge the membership of this body to oppose this legislation.

Mr. FASCELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Chairman, I wish to state my firm support of H.R. 2516, a bill to provide Federal criminal penalties for forcible interference with federally created and federally guaranteed rights.

No political community can suffer its order of rights and obligations to be corrupted by violence or the threat of violence, whether exercised by private persons or by public officials acting under color of law.

The House has passed legislation this year, which I was happy to cosponsor, as it did last year, to make it punishable under Federal law to travel interstate with intent to incite to riot. But additional legislation is required in order that the rights of U.S. citizens everywhere be secure against racially motivated violence.

It is intolerable, Mr. Chairman, that the United States is unable effectively to vindicate Federal rights. It is unable to do so effectively because of difficulties in the way of prosecuting those who have interfered by means of force or the threat of force with others exercise of Federal rights. It is unable to do so effectively because present Federal penalties are inadequate to the seriousness of such criminal actions.

The provisions of H.R. 2516 would obviate the difficulties in prosecuting those who have attempted forcibly to deprive others of their Federal rights on account of their race or color. The bill would facilitate prosecution because it explicitly applies not only to public officials acting under color of law but likewise to private persons acting alone or in concert.

The bill would facilitate prosecution also because it specifies the Federal rights protected from violence and intimidation: The right to vote, the right not to suffer racial discrimination with respect to public education, the use of public facilities, employment, jury service, public transportation, federally assisted programs, or public accommodations, and the right to speak out on behalf of equal opportunities and equal protection of the laws.

This legislation, moreover, establishes criminal penalties sufficient to deter men of violence from forcible interference with civil rights. The penalties are graduated in proportion to the consequences of the criminal action. With enactment of H.R. 2516, a Federal court could send a man to prison for life if he committed murder as a means of depriving Negroes or civil rights advocates of their Federal rights.

Mr. Chairman, I support H.R. 2516 just as I supported the Voting Rights Act of 1965 and the omnibus Civil Rights Act of 1966. The Federal Government has widely undertaken to guarantee equality of rights and opportunities against racial discrimination. It must at the same time render that guarantee effective by providing itself with adequate means of enforcement.

Mr. CELLER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 13, Civil Rights, title 18, United States Code, is amended by inserting immediately at the end thereof the following new sections, to read as follows:

"§ 245. Interference with civil rights

"Whoever, whether or not acting under color of law, by force or threat of force, knowingly—

"(a) injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any person because of his race, color, religion, or national origin, while he is lawfully engaging or seeking to engage in—

"(1) voting or qualifying to vote, qualifying or campaigning as a candidate for elective office, or qualifying or acting as a poll watcher, or any legally authorized election official, in any primary, special, or general election;

"(2) enrolling in or attending any public school or public college;

"(3) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States or by any State or subdivision thereof;

"(4) applying for or enjoying employment, or any perquisite thereof, by any private employer or agency of the United States or any State or subdivision thereof, or of joining or using the services or advantages of any labor organization or using the services of any employment agency;

"(5) serving, or attending upon any court in connection with possible service, as a grand or petit juror in any court of the United States or of any State;

"(6) using any vehicle, terminal, or facility of any common carrier by motor, rail, water, or air;

"(7) participating in or enjoying the benefits of any program or activity receiving Federal financial assistance; or

"(8) enjoying the goods, services, facilities, privileges, advantages, or accommodations of any inn, hotel, motel, or other establishment which provides lodging to transient guests or of any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility which serves the public and which is principally engaged in selling food for consumption on the premises, or of any gasoline station, or of any motion picture house, theater, concert hall, sports arena, stadium, or any other place of exhibition or entertainment which serves the public, or of any other establishment which serves the public and which is located within the premises of any of the aforesaid establishments or within the premises of which is physically located any of the aforesaid establishments; or

"(b) injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any person (1) to discourage such person or any other person or any class of persons from lawfully participating or seeking to participate in any such benefits or activities without discrimination on account of race, color, religion, or national origin, or (2) because he has so participated or sought to so participate, or urged or aided others to so participate, or engaged in speech or peaceful assembly opposing any denial of the opportunity to so participate; or

"(c) injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with any public official or other person to discourage him from affording another person or any class of persons equal treatment in participating or seeking to participate in any of such benefits or activities without discrimination on account of race, color, religion, or national origin, or because he has afforded another person or class of persons equal treatment in so participating or seeking to so participate—shall be fined not more than $1,000 or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than $10,000 or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life."

(b) Title 18, United States Code, is amended by adding to the analysis of chapter 13 at the end thereof the following:

"Sec.

"245. Interference with civil rights."

SEC. 12. (a) Section 241 of title 18, United States Code, is amended by striking out the final paragraph thereof and substituting the following:

"They shall be fined not more than $10,000 or imprisoned not more than ten years, or both; and if death results, they shall be subject to imprisonment for any term of years or for life."

(b) Section 242 of title 18, United States Code, is amended by striking out the period at the end thereof and adding the following: "; and if death results shall be subject to imprisonment for any term of years or for life."

Mr. CELLER (interrupting the reading). Mr. Chairman, I ask unanimous consent that further reading of the committee amendment be dispensed with, that it be printed in the RECORD, and that it be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. WAGGONNER. Mr. Chairman, reserving the right to object—and I will

not object—I simply wish to clarify the point that the bill is considered as read at the point the Committee rises, is printed in the RECORD, and is open to amendment at any point.

The CHAIRMAN. The Committee amendment is considered as read.

Mr. WAGGONNER. The Committee amendment is not the bill itself.

The CHAIRMAN. As the Chair pointed out, pursuant to the rule, the substitute committee amendment is considered as read and open to amendment at any point.

Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, 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. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes, had come to no resolution thereon.

LEGISLATIVE PROGRAM FOR THE BALANCE OF THE WEEK

Mr. ALBERT. 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 Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise Members that we intend to finish both this bill and the social security bill this week. We hope to do so by Thursday afternoon or Thursday evening. I hope we will have the cooperation of the Members to that end.

We had intended to ask the Members to come in early, but various committees have asked us not to do so. So we will come in at 12 o'clock.

CHANGING POSITION OF MESSENGER, OFFICE OF THE SPEAKER, TO CLERK-MESSENGER

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 905) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 905

Resolved, That effective August 1, 1967, the position of Messenger, Office of the Speaker, shall be designated Clerk-Messenger, and the basic annual compensation of such position shall be at the rate of $2,500 per annum.

The additional amount necessary to carry out the provisions of this resolution shall be paid out of the contingent fund of the House until otherwise provided by law.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TAX INCREASE

Mr. HICKS. 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 Washington?

There was no objection.

Mr. HICKS. Mr. Speaker, the long-awaited proposal by the President for an increase in the income tax is now before us, and it deserves a most careful study. It is abundantly clear that considerably more money is required to operate the Government than present tax rates will produce given the current state of the Nation's economy. The problem then becomes to determine what are the various alternatives for obtaining this money and what will be their effects on the economy. If accepting the President's proposal would exert a drag on the economy which would cause it to falter or fail to expand further, then I would be reluctant indeed to see the Congress approve it.

Despite the assertion that we are headed for a deficit in excess of $29 billion in this fiscal year, a deficit alone is not the only factor we must consider. We have heard predictions that the economy was moving into high gear again, but so far the predictions do not seem about to be realized.

We know that the economy is operating below capacity, more than 15 percent below for the spring quarter of 1967. Employment and industrial production rates have been down from last year, although the employment picture brightened somewhat in June. It now appears that the GNP this year will be well below earlier predictions, and tax revenues will, therefore, be lower, too. Further, a large number of the State legislatures in their recent sessions have imposed new taxes or raised existing taxes, and these new burdens will doubtless exert restraint on the economy, too. The signs of a boom are not unmistakable at this time.

Under these conditions, the danger is real that a tax increase would cut off an upturn in the economy. Naturally we would like to reduce the Federal deficit whenever it is possible, but to do so at the risk of stagnation in the economy may be courting greater trouble than that which we are attempting to alleviate.

Furthermore, if a tax increase puts on the brakes at our present below-capacity level, we may well not accomplish the purpose of raising revenue to offset the budget deficit. We are all familiar with the great success of the tax reduction of 1964–65 in stimulating the economy so that tax revenue actually increased despite lower tax rates. The same logic may hold true in reverse and by raising taxes now the economy may slow to the extent that, despite the higher rates, we would get less revenue.

Finally, but by no means of least importance, is the question of tax reform. Many ordinary people would be more willing to accept a tax increase if it were shown to be absolutely necessary. But as long as the loopholes exist by which many of the very rich avoid much of the taxes that most of us pay, people are going to resist a tax rise.

We read frequently in the newspapers about the loopholes that benefit the wealthy. A recent good example is Jack Anderson's column in the Washington Post for August 11. This column is widely distributed and read in my district, and whether it is entirely accurate or not, the people reading it know that the tax laws in too many instances are designed to assist the wealthy in avoiding paying their fair share, and they resent it greatly. I know from my correspondence, Mr. Speaker, that the people in my district are not going to submit readily to a tax increase as long as gross inequities in the law exist.

If we are going to require this added sacrifice from our citizens, then we ought to offer them evidence that we are exacting the same sacrifice from all levels of society. If we cannot distribute the burden equitably, then we will deserve the criticism we will receive. Since we are now considering the tax increase, I believe this is the time to consider, too, provisions for plugging tax loopholes and distributing the tax more fairly. If such reforms cannot be obtained when more taxes are needed, then it is doubtful that they can ever be obtained. I, for one, will think a long time before I will support a tax increase without tax reform.

ATTITUDE OF OEO OFFICIALS AND SUBORDINATE AGENCIES TOWARD CONGRESS AND PUBLIC

Mr. KUYKENDALL. 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 Tennessee?

There was no objection.

Mr. KUYKENDALL. Mr. Speaker, the attitude of OEO officials and its subordinate agencies toward Congress and the public raises some very serious questions concerning the responsibility of this agency in the handling of public funds. My personal experience with OEO in the past week has been startling in its disclosure of the "Congress and the public be damned" attitude of OEO.

In order that my colleagues may know the extent of this attitude, I would like to include in the RECORD a chronological account of my experience.

About 2 weeks ago the war on poverty committee of Memphis and Shelby County ordered the dismissal of two employees of one of its subordinate agencies. These subordinate agencies are independent corporations which are financed with Federal funds and exist under the authority of OEO. The dismissal of the two was ordered because of their alleged affiliations with organizations advocating "black power" and the use of violence to attain their ends. Such activity by those paid with Federal funds is illegal under the Civil Rights Act.

The head of the agency involved refused to dismiss the two and instead insisted this was a matter that concerned the independent agency only and that the two would be retained pending a hearing.

A statement attributed to one of the two employees which appeared in the Memphis Commercial Appeal on Thursday, August 10, certainly lends credence to the charge his attitude is not one that will help the poor or maintain peace in the community. He is quoted by the Commercial Appeal, as follows:

> If the newspapers would report it like it really is, if they'd come into here and really look at poverty, and stop worrying about inconsequential things like whether you're a "Snick" or a communist, maybe we wouldn't have to burn it down.

Mr. Speaker, that is certainly an inflammatory statement and can be interpreted as nothing less than an appeal to riot and to burn down the community.

My office became involved in the situation when the Memphis newspapers called me to say that the subordinate agency was holding a closed meeting and the press was excluded. The director of the project advised the press they could report the meeting only if they submitted their stories to him for approval. Such a situation posed a serious threat to the peace of the community and, in my opinion, was extremely bad press and public relations for OEO and its program.

In an effort to be helpful, I tried to discuss the situation with the head of OEO, Sargent Shriver. On last Thursday morning, I called Sargent Shriver and was informed he was in a meeting, but that his appointment secretary would call back shortly to see when I could talk to him. After waiting several hours, we put in a second call and were informed that Mr. Shriver was still busy and that his secretary was also too busy to speak to the Congressman. This was about noon and I had both a committee schedule to keep and the House was about to go into session. I instructed my office to check with the proper officials in OEO to see what could be done regarding the Memphis problem.

My office talked to Mr. Theodore Berry, Assistant Director for community action programs. They explained the attempt of the group in Memphis to hold a secret meeting. My administrative assistant pointed out that the controversy had already been a topic of community discussion for over a week and that any attempt to close out the press at this point would be bad public relations and only worsen the situation. He relayed my desire to cooperate with OEO and local officials in Memphis to resolve the problem with the least difficulty. Mr. Berry told us that closed meetings were against the policy of OEO and that word would be given to the Memphis people to open the meeting.

Around 7 p.m. Thursday evening my assistant was called at home by Alfred H. Corbett, Director of the Operations Division for Community Action of OEO. Mr. Corbett advised us that upon checking it was discovered the meeting was to be a meeting of the policy board to discuss the charges against the two employees and that, as such, they could hold a closed meeting. However, he assured my assistant that as a Member of Congress I would be entitled to a full report and text of what went on at the meeting. He promised this report by Friday morning. No report was forthcoming on Friday morning and my office again contacted Mr. Corbett who was then unavailable. Shortly after they received a call from Mr. Emanuel Boasberg, Director of Special Projects of OEO. Mr. Boasberg gave a brief verbal account of what happened at the meeting. As I was in Memphis on Friday, my assistant asked if a responsible official of OEO in Memphis could get in touch with me and discuss the situation in detail. He reiterated my desire to cooperate with OEO for the mutual advantage of all those concerned in this affair. Mr. Boasberg promised that I would be called. Later in the afternoon he again called my office to report that the OEO regional office was being moved on Friday and he was unable to locate the people he wanted to have talk to me. He asked if it would be possible to give us a full report on Monday. He was advised that I would still be in Memphis on Monday and would welcome such a report. Mr. Boasberg said that I would be contacted by DuPree Jordan, Jr., public information officer of OEO in Atlanta or his deputy, Jess Merrill.

On Monday morning I received no call and checked with my Washington office to see if we could get some report. Finally after several calls between my Washington office and Mr. Boasberg, I was contacted by a Sarah Craig, legislative liaison officer for the Atlanta regional office of OEO. After several conversations with her, I did receive a few sketchy notes last Monday afternoon, but nothing approaching a full report.

Mr. Speaker, this is a long and detailed account, but it clearly demonstrates to me that OEO is not willing to cooperate with Congress. They exert independence which borders on arrogance. They operate these subagencies or corporations which use public funds and yet defy Congress and the public and, in effect, tell us that how they spend the money and what programs they advocate are none of our business. This is a dangerous situation because it leads to Federal financing of agitators who use the prestige of the Federal office by which they are employed to instigate race hatred which leads to violence, rioting and the burning and looting which we have so recently witnessed in cities across the land.

I don't think that we can blame only the officials of these minor, subagencies or corporations. The responsibility for the proper use of Federal money for the purpose for which it is intended must rest with the officials of OEO.

The unavailability of the Director of OEO to Members of Congress when important issues are at stake, the passing of the buck from one official to another, the failure to make reports available after promising such reports, all these things are a clear defiance of Congress by a Federal agency. I believe we should have a full and complete investigation of OEO, its personnel, and especially its subordinate organizations such as the one now involved in controversy in Memphis, and the school in Nashville which was using Federal money to finance the teaching of hate for white people.

Mr. Speaker, the record is full of such incidents involving OEO. Through such arrogance and defiance the agency is not fulfilling its mission of helping the poor, but rather is using millions of dollars to create controversy, engage in political activity, and in general thwart the will of Congress.

CARMICHAEL, CASTRO, AND COMMUNISM

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the Organization of Latin American Solidarity Conference broke up on a disturbing note, one which has far-reaching implications to every American.

The usual rantings of Fidel Castro have become so stereotyped that they were relegated off the front page this year. The broken record that he has played over the past years of how he has improved the lot of Cuba since subverting the island to communism is old hat with a hollow ring.

The fact that he is again preaching revolution for countries in South America when these countries, unlike his own, are making progress is also repetitious.

The only reason the Conference received any front-page attention this year was because of the presence of Stokely Carmichael. Carmichael has little to say in Havana that he has not said in the United States—mainly, that the Government of the United States should be destroyed. Only his change of location—and this fact did not altogether surprise me—made it newsworthy.

But now Castro has put Carmichael on a pedestal as his arm of subversion in the United States. There can be little doubt that if and when Carmichael returns to the United States that he will be carrying out the orders of Castro. And Castro, of course, is carrying out orders from his Communist masters.

If we allow this to happen—if we let Carmichael spread and preach Castro's doctrine—we will have allowed Castro to establish his first beachhead in the United States.

I have called for the arrest of Carmichael if and when he returns from Cuba on grounds of sedition. Not based only on what he said when he arrived there, but for the seditious statements and actions he made and took while still in the United States. I am disappointed that the Justice Department has not made clear its intentions. In fact, its quoted spokesmen have offered mild concern at whether any action could be taken even though Carmichael called for violence aimed at the President.

Now we find ourselves insulted by threats from Castro himself. He is reported to have said that he will protect Carmichael from the arms of justice in the United States.

I would like to go on record as not being able to abide the seditious remarks and behavior of Stokely Carmichael. Nor can I abide the threats of that Communist puppet, no matter how shallow they be. And lastly, I cannot abide the

thought of inaction on the part of the Justice Department in connection with Carmichael.

PUCINSKI ASSAILS CRITICS OF FORTHCOMING VIETNAM ELECTION

Mr. PUCINSKI. 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 Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, more than 10,000 American boys have given their lives in fighting for the day on September 3 of this year when the people of South Vietnam will participate in an election to elect a constitutional government.

Those who now attack the validity and honesty of this forthcoming election without having all the facts will in fact, through their cynicism, inadvertently play into the hands of the Vietcong, and only the Communist propaganda mills can benefit from these American attacks on the election.

The fact that these elections are even being held is a miracle in itself and reflects upon the valor not only of the American contribution in South Vietnam but on the determination of the people of South Vietnam themselves.

American cynics who are already screaming that the elections will be a fraud and a mockery fail to understand that any election held under the wartime conditions such as are prevalent in South Vietnam would have many problems. But, these same American critics fail to understand that this forthcoming election—for better or for worse—is the first step necessary for American disengagement from its efforts to help the South Vietnamese.

Our basic policy in South Vietnam—a policy which has cost more than 10,000 American lives and almost 80,000 American casualties—is to secure the right for the people of South Vietnam to select their own government in a democratic manner.

President Johnson has made it crystal clear to the ruling authorities of South Vietnam that the United States will not tolerate any denial of full opportunity of expression of all the people of South Vietnam in the forthcoming election. But, the President did this in a quiet, diplomatic, albeit forceful manner directly to the parties involved instead of seeking headlines and engaging in public pronouncements which can benefit only the Communist propagandists.

As the New York Times pointed out editorially today:

> In the wake of such a fair and free plebiscite, Washington and Saigon could initiate a meaningful new attempt to convince Hanoi and the Viet Cong that the allied aim is accommodation at the conference table.

Our Nation will not condone any denial of full freedom to the people of South Vietnam to participate in this election and I am certain that every effort will be made to afford this opportunity to all the people in South Vietnam limited only by the exigencies of war.

But the fact remains, an election is being held. An election that two years ago when the United States became fully involved in South Vietnam no one in their wildest expectations thought would be possible.

Many of those who are already prejudging the September election in South Vietnam are the same people who attacked the election to elect delegates to the Constitutional Convention and then attacked the validity of the Constitution itself.

I am certain that the thousands of American boys slugging their way through the treacherous jungles and swamps of South Vietnam want to get this election over with as quickly as possible and start seriously thinking about getting home instead of nit picking every single detail of the election machinery.

The American people want us to get out of Vietnam as quickly as possible and I am certain they will denounce these efforts by a small group of Americans to undermine the validity of the forthcoming election.

The untold problems facing us at home require us to bring this war to a conclusion as quickly as possible. It is my firm conviction that those who would assail the validity of these elections will in fact prolong our involvement in Vietnam.

PRESIDENT'S VETO AFFORDS SECOND CHANCE

Mr. PICKLE. 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 Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, I hope that President Johnson's veto of the Government Employees' Life Insurance bill will be the occasion for action on a fair and responsible bill, which both the House will pass, and the President will sign.

This bill—H.R. 11089—would have added at least $60 million to the taxpayer's already great burden. At the time the bill passed the House, the full import of our national financial situation was not realized by the Congress, or advanced by the administration. We had not been submitted the prospect of a $29 billion deficit; we had not been given the proposed increase in social security; we had not been given the bill for a 10 percent surtax increase on private and corporate incomes. With all these evident increases and costs, the President really had no choice, given the implications of this bill. Had the President signed this bill into law, we would have, in effect, added a substantial burden on the taxpayer for a measure which provided its maximum benefits to those members of the Federal Government who need them least. The average employee would have been given a one-third increase in his insurance coverage at the taxpayer's expense. A selected few, including the President and Vice President, the Cabinet and sub-Cabinet officials, and the members of Congress would have received a 100 percent increase in our coverage. I do not think that such an increase could possibly be justified at a time when the expense of Vietnam is steadily increasing our Federal deficit.

I suggest that the Members return to the administration's original proposals for a $13 million program or something in this area, to improve the system and eliminate some of the obvious inequities of providing additional coverage. This is a bill we could pass, and I would be happy to vote for it.

I recommend, further, that we accept the President's offer to, as he says, explore ways to permit direct purchase by Federal employees from their private funds under current group plans. This is what is commonly done in industry, and I believe that it would be beneficial to Government employees who are quite capable of bearing the small additional cost themselves without asking the taxpayers to do so.

The President has asked the Chairman of the Civil Service Commission and the Director of the Bureau of the Budget to begin working immediately with the appropriate committees of Congress toward finding an acceptable and fair insurance system. I would like to assure the members and the committee chairman of my own wholehearted support of their efforts.

Mr. Speaker, it is tough not to vote for all the pay raises possible for Federal and civil service employees. No one wants to cut them back; indeed we all want them to get the best possible pay comparable to private industry. But this cannot always be, particularly in times of a great national deficit. We must be cautious and careful. As much as it hurts to veto a pay measure, the President did what he thought was a sound fiscal approach. I am sure the majority of Congress would now agree—and that we can still find an equitable answer before this session of Congress expires. And, Mr. Speaker, I imagine the President will also be watching other measures of this nature—among other major appropriations—to be certain that we stay within bounds of a reasonable budget, and mainly, at this critical hour, that we cut down on our large deficit.

AN OPENING IN THE MIDDLE EAST

Mr. STEIGER of Arizona. 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 Arizona?

There was no objection.

Mr. STEIGER of Arizona. Mr. Speaker, while American Armed Forces are striving to close a door against the Communist onslaught on South Vietnam, it appears that we have left another door wide open in the Middle East.

In the confusion that has ensued from the recent Arab-Israel war, it is now apparent that the Russians have exploited the situation by establishing naval bases on a de facto premise of allegedly defending the Arabs. Soviet naval craft,

including missile cruisers as well as submarines, are now based in the Egyptian ports of Alexandria and Port Said. Soviet military advisers and technicians accompanied the recent massive resupply of Russian weapons to the armed forces of Egypt.

Meanwhile, Mr. Speaker, we learn that the Soviet Union is seeking an airbase in Yemen. This would be the first Russian airbase on territory not contiguous to the Soviet Union or its satellites. Yemen is the strategic land that Egypt's Nasser has sought to dominate in several years of Communist-backed warfare against the Yemeni people.

Russia already is known to have personnel and equipment at Hudaydah, Yemen. Soviet submarines and torpedo boats are based in Yemen, in a position to control the narrow channel between the Red Sea and the Gulf of Aden—in other words, the passage between the Mediterranean and the Indian Ocean.

A Soviet base in Egyptian-controlled Yemen would control the sea route from Europe to Asia and east Africa even if the Suez Canal is reopened with access available to all nations. The Russians could control not only the sea route from the Mediterranean to the Far East but would be in a position to dominate the Persian Gulf and the oil-rich lands of the Arabian Peninsula.

I regret, Mr. Speaker, that instead of telling Egypt's Nasser that he will not get another cent of American aid as long as Russian military personnel are on Egyptian soil or Egyptian-controlled portions of Yemen, American diplomats are currently beseeching Nasser to accept renewed American aid. All Nasser has to do, apparently, is resume diplomatic relations with us.

Mr. Speaker, I have asked the Department of State for an immediate report on the secret talks now in progress in Cairo. If the American taxpayers are to pay for a new handout, they have a right to know what is being promised. I will certainly oppose any aid to Egypt unless that country takes positive steps to oust the Russians and identify herself with policies consistent with free world interests. This includes a peace settlement with Israel and free access through international waterways for all nations.

Mr. Speaker, I am also asking for another explanation. This one is directed to the Department of Defense. It is even more serious than the first issue raised.

Instead of opposing the takeover in Yemen by pro-Communist forces of Egypt, the administration granted diplomatic recognition to the puppet regime in Sanaa, Yemen. Under our very eyes, the Russians entered Yemen, their submarines docked there, and their aircraft flew in support of Egyptian forces.

Nasserite forces, backed by Moscow, sought to expel the British from nearby Aden. The squeeze was aimed at taking over all the oil of the Arabian Peninsula, including the Aramco interests in Saudi Arabia.

The closure of the Gulf of Aqaba to Israel shipping was a phase of the plan to take over the Arabian Peninsula. Even if the administration had sought to use force in the Straits of Tiran, we did not have the available force in that region.

Mr. Speaker, I want to know why the United States today has no fleet worthy of the name operating in the Red Sea and Indian Ocean. There is a vacuum in the Red Sea, the waters of the Persian Gulf, the wider reaches of the Indian Ocean. Why are we so naked in this vital area? Are the Russians to take over by default?

The closure of the Suez Canal prevents reinforcement from the U.S. 6th Fleet in the Mediterranean. The war in Vietnam prevents reinforcement from the naval elements engaged in that area.

I want the Defense Department to frankly explain why we are so weak in the vital regions mentioned. The Russians are consolidating bases there, building up power. We are apparently doing nothing.

What will the sacrifices of the Vietnam conflict avail us if communism takes over in the Middle East? The Communists will then dominate the strategic gateway linking Africa and Asia with Europe, the former lifeline of the British Empire. Oil resources required by NATO countries will be controlled by Moscow.

The implications of Russian power will be felt from Morocco to India. Every Moslem land will see Russian strength and American weakness.

Therefore, Mr. Speaker, I have asked the Department of Defense to explain why we have no real strength in the Red Sea or Indian Ocean while the Russians are moving in.

NEED FOR RECONSTRUCTION OF METHODS IN EDUCATION AND INSTRUCTION

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JACOBS. Mr. Speaker, I received recently an interesting letter from a presumably shadowy and anonymous person at Indiana University in Bloomington.

DEAR MR. JACOBS: I'm mad! At this moment, I'm sitting among 50 students not listening to a Professor stumble around a chapter on inferential statistics.

There are about 5 math majors in the class. It's greek to the rest of us. I surmise that most of these persons are elementary teachers, but even those who teach on a secondary level could never in a billion years help any youngster with the information in this course.

As a matter of fact, further education would be a good thing for all of us—but would it be too much to ask them to teach us something relevant to what we are supposed to teach?

These courses, you understand, are required by Indiana State Law.

Concurrently, the Indianapolis Public School System is searching for 150 more teachers for the Fall semester.

Presumably those who are here have jobs, but they have no time to prepare for their teaching assignments because they must memorize inferential statistics.

There are teachers in Indianapolis who are not here, but they are not eligible for teaching positions because:

1. They can't afford (money) to study inferential statistics.
2. Or they can't learn inferential statistics.
3. Or they think the stupidity of it all is not worth the job they seek.

And everybody who knows what the real scoop is keeps still because he doesn't want to lose the degree he needs to get a job.

Neither do I. Don't quote me.

Indignantly yours,

_____.

P.S.—No kidding—can't you investigate? And don't go by the Professors. It's their bread and butter.

Mr. Speaker, over a half a century ago Maria Montessori wrote:

Today we hold the pupils in school, restricted by those instruments so degrading to the body and spirit, the desk—and material prizes and punishments. Our aim in all this is to reduce them to the discipline of immobility and science,—to lead them,—where? Far too often toward no definite end.

Often the education of children consists in pouring into their intelligence the intellectual contents of school programmes. And often these programmes have been compiled in the official Department of Education, and their use is imposed by law upon the teacher and the child.

Ah, before such dense and willful disregard of the life which is growing within these children, we should hide our heads in shame and cover our guilty faces with our hands

Sergi says truly: "today an urgent need imposes itself upon society: the reconstruction of methods in education and instruction, and he who fights for this cause, fights for human regeneration."

Mr. Speaker, the today that Sergi spoke about was more than a half century ago. Is it possible, Mr. Speaker, that the more things change the more they remain the same?

AIR POLLUTION

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, today the distinguished Committee on Interstate and Foreign Commerce opened hearings on proposed legislation to deal with the air pollution menace which threatens all of us. After what I know will be careful consideration of all the testimony, I hope the committee will report out a strong and effective bill.

The problem of air pollution is well known; the Federal Government and the Congress must take all necessary steps to eliminate it.

I include at this point in the RECORD the statement which I made this morning before the Interstate and Foreign Commerce Committee:

STATEMENT OF CONGRESSMAN WILLIAM F. RYAN BEFORE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE IN SUPPORT OF H.R. 8467, THE AIR QUALITY ACT OF 1967, AUGUST 15, 1967

Mr. Chairman, I appreciate the opportunity to appear before you as the great Committee on Interstate and Foreign Commerce begins consideration of the proposed Air Quality Act of 1967.

The problems of environmental pollution have long been of great concern to me. I

strongly supported passage of the Clean Air Act of 1963 (PL 88-206) and the strengthening amendments contained in the 1965 and 1966 bills (PL 89-272 and PL 89-675). In this Congress I have introduced H.R. 8467 to amend the Clean Air Act and H.R. 9477 to amend the Solid Waste Disposal Act. My testimony today will deal with the former although I hope that, before this session concludes, the Committee will hold hearings on H.R. 9477.

Since the House last considered legislation in this area, New York City experienced the Thanksgiving Day inversion of November 24, 1966. In the midst of that emergency I called upon the Secretary of Health, Education and Welfare to schedule an abatement conference for the New York-New Jersey Metropolitan region.

When the New York-New Jersey Air Pollution Abatemet Conference convened on January 3, 1967, I warned:

"Immediate steps must be taken to prevent the pollution disaster which may come tomorrow or the day after to kill thousands of New Yorkers."

I went on to say, "In New York City, our citizens suffer what may be the most polluted air in America."

Last Friday, August 4, 1967, Dr. John T. Middleton, Director of the Public Health Services' National Center for Air Pollution Control released a study confirming my charge and showing that New York indeed has the most polluted air. In a comparison of the air pollution problem among the sixty-five largest metropolitan areas in the country, the New York Metropolitan Area ranked first, followed by Chicago, Philadelphia, Los Angeles and Cleveland.

The report stated, "But in all the large urban areas covered in our report the public health and welfare are threatened by air pollution."

Air pollution is a national problem made up of many regional problems. For instance, in the New York-New Jersey area many local jurisdictions pollute each other. The problem is interstate in nature. The need for effective federal action is clear. State and local governments have failed to cope with it.

Last December 30th I observed at first hand from a helicopter the major sources of pollution in the New York metropolitan area. As I said in reporting—with words and photographs—to the January 3rd Abatement Conference.

"You could see the pollutants pouring out of smoke-stacks, incinerators, powerplants, petrochemical plants, open burning. A pall of smoke was hanging everywhere, and particularly enveloped Manhattan.

"In New York City we saw the pollution pouring out of the city's own incinerators overloaded and unregulated. We saw it coming out of Con Ed's eleven huge plants—the major sulfur dioxide polluters. We saw smoke coming up—strange as it may seem—from open burning in the harbor by the Army Corps of Engineers.

"We saw the pollutants pouring out of Jersey, and beginning their usual drift toward New York."

It was this cesspool in the sky that made last Thankgiving's weather situation so dangerous. Because of an air inversion poisons in the air were trapped, and the lives of 15 million people caught in this perilous air mass were endangered. Only the fact that it was a holiday weekend—with businesses shut down and less commuter traffic pouring into the City—prevented a major catastrophe.

Of course, these episodes are not peculiar to New York. During the London smog of 1952, 4,000 more deaths occurred in that city than would normally have happened during a similar period of time. In Donora, Pennsylvania, a comparatively small industrial town which in 1948 normally recorded about one death every three days, seventeen people died in a single 24-hour period during a four day smog. We will never know of all the grievous effects of last Thanksgiving Day's inversion.

Although it is now confirmed that air pollution is most severe in the New York area, the problem is not New York's alone, nor is it even an urban problem alone. The Department of Health, Education, and Welfare has estimated that 60% of all Americans live in areas of persistent air pollution. In Florida, Connecticut, and other areas, agricultural products have been seriously damaged by the poisons in the air. The problem is now critical in all areas—urban and rural—throughout our nation.

Recognizing the danger, our constituents are asking for immediate and meaningful federal action to deal with air pollution. Thus, a Harris Poll has found that there is more public support for expanded federal pollution control than for any other single domestic program. Every housewife who must clean and wash clothes more frequently, every homeowner who must paint more frequently, every citizen who sees his area enshrouded in a black mass of poisons cries out for action.

To the thoughtful citizen, it must be surprising that we have not already taken massive action. Air pollution is hardly new. As early as 61 A.D. Seneca complained of "the heavy air of Rome," caused by the smokey chimneys "with their pestilent vapors and soot."

As industry grew in the United States, environmental pollution inexorably grew with it. As the population went West, environmental pollution went with it. As the number of motor vehicles grew, environmental pollution grew. The process is inevitable.

Perhaps there was no major effort to halt it because the harmful effects of air pollution were once unclear. One could see that the air was dirty; one could smell the poisons in the air. Today the evidence is crystal-clear, the nation now recognizes that air pollution kills.

The hazard to human health is well-known. The functioning of the respiratory system is dependent on clean air. As the exposure to contaminated air increases, the individual breathing capacity is impaired; the amount of oxygen readily available to the blood stream is gradually reduced; and the total health of the individual declines. Then, when other stresses appear—such as the common cold, diseases, heart trouble or aging—the respiratory system has less capability to maintain its function. Health declines further from the strain of trying to make use of dirty air with a physiological system designed only for clean air. Finally, in a great many instances, death is hastened. The certificate may ascribe the cause to any one of a number of specific failures. However, a growing list of competent medical studies show that polluted air is often a significant contributing factor. Many of the gains of medical science are offset by the continued degredation of the air we breathe.

The nation also now recognizes the great economic loss due to air pollution. It has been estimated that, without even counting possible damage to crops, the total loss equals $11 to $12 billion per year or about $65.00 for each man, woman and child in America. In the New York Metropolitan area the loss from pollution is probably $200 per capita and in Manhattan it may be as high as $350 per capita. Increased laundering and lighting alone costs $20 per capita nationally. Moreover, some experts consider even these figures too low, as all the possible damage that air pollution causes is not yet known.

Above all, the nation overwhelmingly rejects the specter, raised by Secretary of Health, Education, and Welfare, Gardner, of individual gas masks to be worn in urban areas or "clean air shelters" where those, who are allergic, ill with respiratory diseases or simply very young or very old, could huddle during a pollution alert, breathing specially treated air supplies.

The pending legislation should be examined with the foregoing basic considerations in mind.

All of the major bills proposed this year involve some type of national, regional, or state standards—source emission standards, air quality standards, or a combination of both—in recognition of the fact that polluters will not regulate themselves. The imposition of standards would destroy the argument often espoused by industries that large sums of money for pollution abatement equipment should not be invested without assurances that they will be adequate. Let us make clear what is adequate, and let us do it promptly.

In combating air pollution, the key question is what type of standards, who sets them and how they are to be enforced. If we are to stop the polluters, we must do it firmly by setting a clear level and requiring them to meet it. Let me address myself to these questions.

I believe that both my own bill, H.R. 8467, and the Administration's original proposal take the only adequate approach—nation-wide maximum emission standards for industries which do the most polluting, regional air quality and emission standards, and strong enforcement provisions through the use of court enforceable cease and desist orders.

We must have nation-wide maximum emission standards so that major industries are treated similarly and know just how much they must do in air pollution control.

We must have inter-state regional ambient air quality standards and controls—not state-wide standards—simply because air pollution is not confined to States. In New York City, for instance, much of the air pollution comes from New Jersey. Only a regional commission can solve the regional problem.

Finally, we must have real enforcement by the Federal government because—like taxes, nobody is going to pay to end their own profitable pollution unless they have to.

States have long ago shown they will not set up effective air pollution standards or controls.

The present Federal three-step approach, with conferences and hearings and injunctions, too, has been proven effective.

To begin to end air pollution, the Secretary of HEW must have the power to issue cease-and-desist orders to anyone who violates air quality standards.

These are minimum requirements for effective anti-pollution action.

Under my bill, H.R. 8467, the Secretary of Health, Education, and Welfare would set national emission standards, which would be reviewed each year, for those industries now contributing the greatest amount of pollution to our air. Individual state standards would supersede the national standards if they were equivalent or more stringent and accompanied by an adequate enforcement plan. The Secretary would review state standards every six months to determine if the standards and their enforcement were adequate.

In addition, H.R. 8467 would set up Regional Air Quality Commissions to promulgate regional air quality and pollutant emission standards which would have to be at least as strict as national standards, although in many areas they would probably be stronger.

For violations of either national or regional emission standards, the Secretary would be empowered to issue cease and desist orders.

In my judgment the Senate bill fails to meet the air pollution problem because it does not adopt a true regional approach. Instead, it is a hybrid, the product of understandable compromises, but one which will be inefficient and unduly difficult to enforce.

Instead of cutting across state jurisdictions, it insists upon dealing with a multiplicity of state jurisdictions in an attempt to link them together through the designation of air quality control regions and interstate air quality planning agencies.

In addition, the procedure for adopting state standards is long, drawn out, and complicated, permitting the states fifteen months to adopt standards after receiving criteria and recommended control techniques from the Secretary. In all probability, this process would take several years.

Since the next air pollution disaster, which is bound to come, obviously will not be contained by state lines, I disagree with the Senate bill over the question of who shall set ambient air quality standards and how they shall be enforced.

The Regional Air Quality Commission under section 108 of H.R. 8467 would be set up by the Secretary of Health, Education, and Welfare either on the basis of his own surveys or upon the request of the Governors of two or more contiguous states.

A Regional Air Quality Commission would be chaired by an official of the Department of Health, Education, and Welfare, and would include representatives of all the involved states, and would be charged with setting up air quality standards for the region, as well as source emission standards in order to achieve or preserve the requisite air quality. It would consider the concentration of industry, other commercial establishments, population, and the technical and economic feasibility of achieving the desired air quality level. Where national standards exist, a regional commission's standards would have to be either identical or more stringent.

A maze of state standards simply will not meet the problem.

What would happen under the Senate bill when two neighboring states submit different air quality standards?

Air and the poisons in it do not respect state lines. The poisons which enter it in New Jersey drift easily into New York. Therefore, standards are best set regionally by the use of air flow charts.

Of course, air quality standards will be ineffective unless they are translated into enforceable emission standards. As I noted before, the Senate Public Works Committee has recognized this basic truth. But it stops right there. Although there is a Federal veto over states' proposed air quality standards, the Senate provisions give no opportunity for the Federal government to approve or disapprove the emission standards upon which the achievement of ambient air quality standards is contingent. This is a grievous error. We must assure that emission standards are suitable to the air quality level they are designed to produce—and this should not be left to the states. Individual states are faced by pressures which are both natural and yet beyond their ability to resist. Faced with ordinary economic considerations such as the fear of losing business and industry to neighboring states, a state is less likely to set the strict emission standards required by a serious air pollution problem.

Also, experience with the present Clean Air Act shows that state action generally tends to be slow and weak. Only fourteen states have acted on their own to adopt air quality and emission standards. Fewer than 100 local governments have air pollution control programs in operation. In the field of air pollution the states have already had their test—and they have flunked dismally.

H.R. 8467 recommends a two-part approach. First, regional air quality standards and regional source emission standards. Second, in areas where Regional Air Quality Commissions are not set up, national emission standards would prevail for certain industries, which immediately would force them to reduce their pollution to a maximum level.

I would like to point out an important difference in my bill from the Administration's bill in the last two sentences of Section 107(a). My bill provides for frequent review and evaluation by the Secretary—at least once each year—of all national industrial emission standards to determine whether those standards should be changed. I envision a gradual stiffening of national standards as technology improves until industrial pollution has been reduced to safe levels or, hopefully, eliminated.

As our distinguished colleague from Michigan (Mr. Dingell) said last December at the National Conference on Air Pollution: ". . . we need air quality criteria, national ambient air standards, and appropriate emission standards. We must establish these at the national level. Without such guidelines we will not be able to properly control and abate air pollution."

Let me stress the importance of enforcement, for without adequate enforcement, standards—whether state, regional or national—are meaningless.

Enforcement provisions of the present Clean Air Law—as well as HEW's action in implementing them—have proven unsatisfactory. The present Federal three-step approach, with conferences and hearings and eventual injunctions, is ineffective. Conferences have been called in only seven different instances. There has been only one hearing, and absolutely no legal action to force compliance.

As the Secretary's Task Force on Environmental Health and Related Problems stated in its recent report:

"The Task Force feels strongly that the Department's response to the air pollution problem is inadequate, and that the Department must make vastly greater use of the authority it now has to bring about a restoration of air quality."

States have long ago shown that they will not adopt effective enforcement procedures to combat intrastate air pollution. And where the air pollution is interstate, they have no jurisdiction in an adjacent state.

How can New York curb the poisons that drift into it from the oil refineries and power generating plants of Northern New Jersey?

There must be real enforcement by the Federal Government, and it needs new powers. Therefore, my bill, H.R. 8467, provides in Sections 107(b)(3)(B) and 108(g)(1) that, if the Secretary of Health, Education, and Welfare, after reasonable notice and opportunity for a hearing, determines that either a national industrial emission standard or a regional emission standard is being violated, he may issue an order that the offender cease and desist. This procedure is far more direct than the present three-step process, culminating in the government's seeking an injunction in a Federal Court, as is evidenced by the fact that no such injunction has yet been sought.

Although this would require more manpower and money—most governmental programs do—it would be one of the best investments our government ever made. As Irving Michelson estimated at the New York-New Jersey Air Pollution Abatement Conference last January, if we spent one and a half billion dollars a year, we could save the nation ten billion dollars in economic loss from air pollution. And how can we evaluate the lives we would save?

The Senate has adopted an emergency powers provision along the lines of my Section 108(f). My provision is far stronger than that of the Administration's original bill in that it directs a Regional Commission to take all necessary actions to protect the public health and welfare, including—although not limited to—completely prohibiting certain emissions into the air. It is also more efficient than Section 108(k) of S. 780, which would require a finding by the Secretary, a request by him that the Attorney General seek an injunction against individual polluters, and finally the legal action itself. Last Thanksgiving Day's inversion in New York demonstrates how cumbersome it is. Certainly it would have been difficult to accomplish each of the required three steps on such a holiday. Yet immediate and sweeping action was required—and will be required the next time such a disaster occurs.

I am greatly disturbed that the Senate bill, S. 780, contains a 12½ percent limitation upon the funds for support of air pollution planning and control programs granted to any one state. Subsection (c) of section 105 of S. 780 is an arbitrary limitation which penalizes the most populous states which also have the most serious air pollution problems.

I have opposed these limitations in Clean Air and other grant-in-aid programs. In this Congress I have introduced H.R. 42 to repeal the 12½ percent limitation now in the Clean Air act.

The air pollution problem varies immensely from state to state, but it is more urgent in our urban centers than in other parts of the country. The states with great metropolitan areas are unjustifiably hurt by this ceiling. States such as New York and California would be denied needed funds even when other states are not using their allocations. Limitations should not be imposed where they will hinder the progress states can make towards solving their air pollution problems if there is money available in unused grants of other states or if the severity of the problem is much greater in one state than another.

I urge the committee to remove the 12½ percent limitation.

I am very pleased that the Senate substantially increased the authorization for the Air Quality Act of 1967. This is crucial—and yet still not enough if the lives and health of our citizens are to be protected from increasing, debilitating and death-dealing air pollution.

S. 780, section 208 provides for developing state vehicle inspection programs. This was not in the Administration's bill but is in my bill. It is important to state that these State programs should receive grants only if they are enforcing HEW's standards.

Finally, I am concerned about the serious shortage of trained manpower in the pollution field. Colleges and universities have lagged behind in preparing trained personnel for pollution control agencies. The problem is too pressing to be left to a gradual process of academic awakening. I recommend that this Committee consider including in its final bill a system of incentive grants—to both schools and students—to encourage training programs for future environmental control personnel.

Air pollution is one of our nation's most urgent problems. It is also unique among governmental problems in that almost all concerned, except those motivated by economic self-interest, agree that ambient air quality standards and effective enforcement are needed now. In order to achieve uniformity and strong and strict enforcement, I believe that a combined system of national emission standards and regional air quality and emission standards will result in uniformity and rigorous enforcement, moving us toward the goal of safe, clean air for all Americans.

NOTED WOMAN JOURNALIST PAYS TRIBUTE TO AN INCORRIGIBLE CHICAGOAN

Mr. O'HARA of Illinois. 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 Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, with pride and appreciation, I am extending my remarks to include the following article by the noted and widely read woman journalist, Louise Hutchinson, in the Chicago Tribune of August 11, 1967:

[From the Chicago Tribune, Aug. 11, 1967]

TRIBUTE TO AN INCORRIGIBLE CHIGAGOAN

(By Louise Hutchinson)

WASHINGTON, August 10.—In 1948, Marie Crowe, a Chicago school teacher, came to Washington with the kind of academic blessing few teachers get from the boss. She wanted a two year leave of absence to take another job. She went to Herold Hunt, then superintendent of Chicago's schools.

"Go," Miss Crowe quotes Hunt as saying. "It will be better for you than a Ph. D."

So Marie Crowe, political science teacher at Calument High school and a veteran of more than 25 years with the Chicago schools, came to Capitol hill as an administrative assistant to a Democratic freshman congressman, Barratt O'Hara of Chicago.

Miss Crowe was steeped in all the theory. She had a bachelor's degree from the University of Chicago; a master's from Loyola. "But what you read in the textbooks and what you really learn are two very different things," she said.

In 1950, O'Hara failed to win reelection. Miss Crowe went back to her Calument classroom. In 1952, the results were different. O'Hara was back in Congress again [and ever since] and Miss Crowe returned to Washington. This time, she resigned from the Chicago school system.

Today, O'Hara is 85 years old. He is the oldest member of the House of Representatives. He is the only Spanish-American war veteran in Congress. And Miss Crowe, who is in her 17th year as his administrative assistant—or top lieutenant to a congressman—could write a textbook of her own.

It was in 1937, when Franklin Delano Roosevelt tried to pack the Supreme court, that Miss Crowe met O'Hara. A former lieutenant governor of Illinois [and, at 30, the youngest in history], he then was doing a nightly commentary show over WCFL in Chicago. They co-authored a book, "Who Made the Constitution?"

Miss Crowe works long hours. She lives two blocks from the Rayburn building where O'Hara has spacious offices. Often she and O'Hara dine together and there are other congressmen around and it's more "shop talk."

"This is the kind of job that lives your life for you," she said. "A friend from Chicago asked me, 'Don't you ever get lonesome?' and I replied, 'I don't have the time.' "

There is this difference between her present job and teaching. She got off at 3 p.m. then, she said, and "lived another life after that." Now there is just the job.

One of Chicago's south side American-Irish whose grandmother once lived at 28th and Calumet and who herself grew up at 39th and Calumet, Miss Crowe calls herself "an incorrigible Chicagoan."

Savvy administrative assistants on Capitol hill are precious as pearls. Many move from congressman to congressman and the party label is rarely a barrier. Miss Crowe has had bids to work for other legislators. She would never take them, she said. And should O'Hara ever decide to retire, she would go back to Chicago.

"I wouldn't want to retire in California or Florida," she said. "And I wouldn't stay here. I don't like Washington. I never have. I often get the feeling that people here look you up and down deciding what you can do for them. In Chicago, the people who are my friends are my friends because they like me."

"A doctor once asked me if I could take time out to retire. I said I guess I could. But what would I do with myself? I asked him. I'm so used to being driven all the time, I wouldn't know what to do with leisure. Why, I don't even play bridge."

POLICY STATEMENTS OF THE REPUBLICAN TASK FORCE ON CRIME—POFF AND HRUSKA JOIN IN FIGHT ON CRIME

Mr. ZION. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, under leave to extend my remarks, I include policy statements of the Republican Task Force on Crime dated June 30 and July 11, 1967.

[From the Republican Task Force on Crime, June 30, 1967]

POFF AND HRUSKA JOIN IN FIGHT ON CRIME

U.S. Representative Richard H. Poff (R–Va.), Chairman of the House Republican Task Force on Crime, and Senator Roman Hruska (R–Neb.) today proposed to combat the nation's spiraling crime rate through new anti-trust legislation and an omnibus "Criminal Procedure" Act. Several House Republicans joined them in introducing a three-bill legislative package.

The two anti-trust measures would prohibit the use of illegally acquired funds or those deliberately unreported for income tax purposes in legitimate concerns. "Trafficking in vice and greed, organized crime has a gigantic earning power," Poff stated. "This earning power has created a reservoir of wealth unmatched by any legitimate financial institution in the nation. Receipts from illegal gambling alone have been estimated at up to $50 billion a year," Poff noted.

"The Omnibus Bill embraces a number of important criminal procedure improvements," continued Poff. "By defining the limits of police investigative powers, the bill makes it plain that a police officer, while making a lawful arrest, can search both the person and the immediate presence of the suspect for the purpose of preventing escape; protecting the officer from attack; capturing stolen property; or seizing property used in commission of the crime. The omnibus bill contains a new law enforcement tool called the 'obstruction of investigation' law. It would make it a Federal crime for a person to obstruct a Federal criminal investigator engaged in the lawful investigation of a Federal offense. The measure attempts to better define witness immunity laws, perjury laws, and several other procedural areas."

Both Poff and Hruska noted that the "package of bills is intended to give law enforcement authorities new and sharper tools" for their tasks "without sacrificing any of the cherished rights which mark us as free men. The people expect the Congress to act," Poff concluded.

[From the Republican Task Force on Crime, June 30, 1967]

NEW AND SHARPER TOOLS FOR LAW ENFORCEMENT

(Statement by Hon. RICHARD H. POFF, chairman of the Republican Task Force on Crime)

The war on crime to be successful must be planned both long-range and short-range. My concern is that action begin *now*.

To that end, the able Senator from Nebraska and I are introducing today in our respective Houses a package of bills designed to modernize old criminal statutes and adapt them to the new challenge which crime poses. The package will not only sharpen old tools but forge new tools of law enforcement.

My package contains three bills:

(1) A bill prohibiting the investment of funds illegally acquired from specified criminal activities in a legitimate business concern;

(2) A bill prohibiting the investment in such concerns of funds legally acquired but deliberately unreported for Federal income tax purposes; and

(3) An omnibus bill to improve criminal procedures in such areas as searches and seizures, gathering of evidence, no-knock entries for capture of perishable evidence, appeals for suppression orders, witness immunity, perjury definition, and obstruction of investigations.

ORGANIZED CRIME

The first two bills in the package are aimed at organized crime. Organized crime, which crosses state lines and employs the resources, vehicles and paraphernalia of interstate commerce, is a national problem. As such, Federal jurisdiction is unchallenged and Federal responsibility is undisputed.

Organized crime is a threat to the American free enterprise system. Trafficking in vice and greed and all the ignoble human frailties, syndicated crime has a gigantic earning power. Receipts from illegal gambling alone have been estimated at up to 50 billion dollars a year. This earning power has created a reservoir of wealth unmatched by any legitimate financial institution in the nation. As the President's Crime Commission elaborately documented, organized crime's overlords have tapped this reservoir and invested its funds in wholly legitimate business activity. Because resources are practically unlimited, the crime syndicate has the power not only to acquire and control an individual business establishment, but, by massive purchases and sales on the stock market, to manipulate capital values and influence price structures. By careful, methodical, clandestine infiltration of several segments of a particular industry, organized crime can use its vast concentration of dollars to create monopolies and, by coercive methods, to restrain commerce among the states and with foreign nations.

Clearly, the investment in a legitimate business of funds illegally acquired or funds legally acquired but unreported for tax purposes constitutes an act of unfair competition and an unconscionable trade practice against others engaged in that business.

The first two bills in my package are new. They are intended to activate the antitrust laws in a more vital way and focus their application upon the problem of organized crime.

As indicated earlier, the first bill would outlaw the investment of income derived from specified criminal activities in legitimate business. The activities specified are those typical of syndicate conduct. They include gambling, bribery, extortion, counterfeiting, narcotics traffic, and white-slavery. This bill would bring to bear upon organized crime the criminal penalties and civil sanctions currently defined in the Sherman Act. Equally as important, if not more so, this bill would give Federal investigators broader and more certain jurisdiction to investigate the activities of syndicated crime and identify its illegal revenue sources.

The second bill would outlaw the investment in legitimate business concerns of income derived by organized crime from other legitimate enterprises if such income has not been reported for Federal income tax purposes. This bill would furnish the predictae for investigation of the myriad ramifications of organized crime's infiltra-

tion into the many compartments and echelons of American business. Moreover, in addition to requiring payment of the tax on the unreported earnings, the crime syndicate would be subjected to payment of multiple damages authorized under the Sherman Act.

In addition to the other wholesome aspects these two bills would have, jointly they would allow organized criminal activities to be attacked before their anti-competitive impact can destroy legitimate business. They would siphon off a large part of organized crime's dollar reservoir, and this could do as much to control this problem as sending a few crime chiefs to the penitentiary for a temporary season.

I have said these two bills are new. They are; however, there is some precedent in practice. The existing antitrust laws have been used by law enforcement authorities in the criminal field. The Sherman Act makes every combination or trust and every conspiracy in restraint of interstate commerce an illegal enterprise. The penalty structure permits fines up to $50,000 and confinement up to one year, or both. The existing antitrust laws also make provision for pretrial discovery and investigation by grand juries for criminal prosecutions. In addition to criminal penalties, the Act permits an injured party to bring a civil suit for injunction or recovery of civil demages and attorney's fees.

In the case of *United States* v. *Bitz*, 282 F. 2d 465 (2d Cir. 1960), racketeers had been indicted under the criminal provisions of the antitrust laws for conspiring and threatening to strike against the distributors of newspapers to coerce money from them. The Circuit Court of Appeals upheld the indictment as an appropriate use of the antitrust laws, and convictions were subsequently obtained.

In the case of *United States* v. *Pennsylvania Refuse Removal Ass'n.*, 357 F. 2d 806 (3d Cir. 1966), *Cert. Denied*, 384 U.S. 96L (1966), the defendant was charged under the antitrust laws with a conspiracy to restrain trade by coercive methods in the garbage collection business. He was convicted and the courts sustained the conviction.

The civil injunction provisions of the antitrust laws were used to enjoin a conspiracy to sell yellow grease by coercive methods, and the use of the law for this purpose was upheld by the Supreme Court in the case of *Los Angeles Meat & Provision Driver's Union* v. *United States*, 371 U.S. 94 (1962).

Only last March the Department of Justice filed a civil antitrust action against the National Farmers Organization alleging violence and coercion in attempting to monopolize the interstate sale of milk. Clearly, if the present antitrust statutes can be used for such a purpose, they can be used against criminal combinations by organized crime in restraint of trade.

Indeed, it may be that the present antitrust laws are sufficient without amendment as a tool in the war against organized crime. If so, the two bills I have introduced aren't necessary. If not, they should be refined and passed. In their present form, even if imperfect, they can serve as a vehicle for hearings to enable the Judiciary Committee to make a determination on this point.

CHANGES IN CRIMINAL PROCEDURE

The third bill in my package is an omnibus measure embracing a number of important criminal procedure improvements. Court decisions defining the limits of the powers of investigative officers in the field of searches and seizures need to be clarified and codified. This bill makes it plain that a police officer, while making a lawful arrest, can search both the person and the immediate presence of the suspect for the purpose of preventing the suspect from escaping, protecting the officer from attack, capturing property which is the fruit of the crime or seizing property used in the commission of the crime. It would also translate into statutory law the recent ruling of the Supreme Court in the *Hayden* case, which held that officers armed with an appropriate search warrant can seize and impound personal property to be used as so-called "mere evidence" in the prosecution's case. Heretofore, the law has permitted seizure only of fruits of the crime and contraband. Mere evidence, no matter how probative, was exempt from seizure.

The omnibus bill contains what has come to be known as the "no-knock" proposal. Under present law the officer with a search warrant is required before entering the premises to knock, request admission, and divulge his authority and purpose under the warrant. The bill would permit forcible entry against the will of the occupant if the magistrate has made a determination—and has registered that determination in the warrant—that the property sought is perishable or that danger to the life or limb of the officer might result without such authority. Such an entry may be made even without express authority in the warrant if this is necessary to his protection in executing the warrant or if it is virtually certain that the occupant already knows the officer's authority and purpose.

Another part of the omnibus bill is the language of H.R. 8654 introduced earlier by the Gentleman from Illinois, Mr. Railsback, and recently endorsed by the Republican Task Force on Crime. This language, following the precedent in the Narcotics Control Act of 1956, permits the prosecutor to appeal orders suppressing evidence or granting a motion for return of seized property before the prosecution proceeds to trial. This proposal enjoys the support of the President's Crime Commission, the Judicial Conference of the United States, and the Department of Justice.

The omnibus bill creates a new law enforcement tool which has long been needed. For the sake of brevity, it is called the "Obstruction of Investigation" law. Patterned after the concept of the obstruction of justice statute which has been on the books for many years, the new law would make it a new Federal crime for a person to obstruct a Federal criminal investigator engaged in the lawful investigation of a Federal offense.

The omnibus bill undertakes to write a better witness immunity law than the nation now has. Indeed, the nation now has some 41 immunity laws. These are too many, too imprecise and too awkward. The language of the new bill represents an improvement without perfection. It is intended principally to be a working paper rather than the final product. Refinements can be made and some efforts must be made to work out a system of coordination and liaison with state and local law enforcement personnel. Until those who have special information necessary to convict others can be assured that they will enjoy immunity from prosecution at all levels of government, no federal immunity statute will function properly.

The omnibus bill comes to grips with a problem which has plagued law enforcement people from the beginning. Our perjury laws retain today the old common law requirements of direct evidence and corroborative testimony. The omnibus bill, while preserving the requirement for proving falsity, eliminates the direct evidence rule and the so-called two-witness rule. Such legislation was warmly recommended by the President's Crime Commission, and most legal scholars agree that there is no longer any justification for the cumbersome procedures which the common law required.

In context with this package of bills, I consider it appropriate to identify once again the electronic surveillance bill, H.R. 10037, introduced recently by the ranking Minority Member of the Committee on the Judiciary, the Gentleman from Ohio, Mr. McCulloch; the distinguished Minority Leader, the Gentleman from Michigan, Mr. Gerald Ford; myself and a score of other Republican Members of the House.

The principle thrust of H.R. 10037 is to protect the right of privacy of the individual citizen. For that purpose, it outlaws all wiretapping or bugging by private citizens. At the same time, the individual's right of privacy is carefully balanced against society's right of security. The bill authorizes society to protect itself by discovering the criminal plans and practices of those who have no proper regard for society's security. It authorizes law enforcement authorities to acquire from a judge of competent jurisdiction a warrant (in the nature of a search warrant), authorizing the officer under carefully proscribed conditions to conduct electronic surveillance against named individuals in identified locations.

H.R. 10037 implements the recommendation of and is patterned after the statutory scheme discussed in the Organized Crime Task Force report published by the President's Crime Commission.

The bill contains the following significant features:

Private use of wiretapping and electronic eavesdropping devices would be absolutely prohibited.

Federal law enforcement officials could obtain court authorized electronic surveillance orders for investigation of certain specified offenses, including national security and organized crime.

State authorities could engage in similar activities pursuant to proper state statutory authorization. (The President's proposal would not only ban all wiretapping and bugging but also repeal existing state laws.)

An elaborate and comprehensive system of checks and safeguards would be established to protect individual privacy, curb abuses by law enforcement officers and assure the rights and liberties of the criminal. Such safeguards include provisions for the suppression of evidence when gathered improperly, advance notice to the defendant of intent to use such evidence prior to trial, notice to persons subject to such electronic surveillance within one year after the authorization, limited periods for such authorization, civil remedies to aggrieved parties, and limitation on certain privileged communications such as those between lawyer-client, husband-wife and clergyman-confidant. Public telephones would also be subject to similar stringent restrictions.

All officials, state and Federal, engaged in electronic surveillance would be required to report annually through the Administrative Office of U.S. Courts to the Congress on their activities to allow for continuing Congressional overview, and the legislation itself would be self-terminating in eight years.

It is thus apparent that the most careful thought and consideration has gone into the drafting of this bill in order to protect the privacy of the individual against both trespass by his neighbor and unreasonable intrusion by the policeman. And yet society's interest in investigating and controlling criminal activity is incorporated as an essential element of the equation of law and order.

Mr. Speaker, I am proud to announce that I have been joined in the sponsorship of this package of bills by the following Members of Congress: John Rhodes, Melvin Laird, Bob Wilson, Leslie Arends, Barber Conable, Carleton King, Clark MacGregor, Robert Price, Arch Moore, Edward Hutchinson, Robert McClory, Robert Taft, Henry P. Smith III, and Chalmers Wylie.

I repeat, as I began, this package of bills is intended to give law enforcement authorities new and sharper tools for this task. It is well and good to attack the causes of crime at the environmental level. It is useful to treat with socioeconomic conditions which breed crime. We need to improve the methodology of rehabilitation to help control recidivism. It is helpful to modernize and expand physical equipment and facilities used by policemen.

Yet, we must understand that these are

gradual, long-range techniques. Something needs to be done now. Our old laws are not adequate to the new need. They must be modernized. This is the province of the Congress. The people expect the Congress to deal with this duty.

[From the Republican Task Force on Crime, July 11, 1967]

"IT TAKES MORE THAN LAWS," SAYS POFF

Rep. Richard H. Poff (R.–Va.) today called for greater cooperation between the Legislative, Judicial, and Executive Branches of Government in an effort to combat the problems of crime and organized criminal activity nationwide.

The Chairman of the House Republican Task Force on Crime stated, "The people are demanding that Congress prepare new and stronger laws to deal with the nation's unprecedented crime rate. *But no matter how strong, no matter how carefully drawn, no matter how well developed new laws may be, Congress only legislates.* Law enforcement," Poff continued, "requires more than laws, studies, or commissions. Effective law enforcement demands enthusiasm, dedication, determination, and a continuing effort to enforce the laws."

Poff expressed dismay at the Attorney General's recent memorandum banning almost all wiretapping and eavesdropping. "That leaves, as the next logical step, an order instructing Federal law enforcement officers to wear blinders and stuff cotton in their ears," Poff commented.

"The battle against crime has not been won. The problems are still with us in even greater number," Rep. Poff told his House colleagues.

SURTAX SHOULD SPUR VOTERS TO ACTION

Mr. ZION. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ERLENBORN] 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 Indiana?

There was no objection.

Mr. ERLENBORN. Mr. Speaker, when President Johnson told us last winter that a 6-percent surtax would be necessary to avoid a deficit of more than $8 billion, some of us suggested the possibility that reductions in nondefense spending might be preferable.

Throughout the winter and spring, however, the administration has poured on the spending. Revenues, it now appears, will be even less than was expected; and so now we are told we need a 10-percent surtax.

The Joliet Herald-News, which is published in the district I represent, had some thoughts about this the other day. If the administration will not stop spending, it said, the voters must stop it for us.

I believe the editorial will be of interest to my colleagues.

SURTAX SHOULD SPUR VOTERS TO ACTION

Despite the familiar soft, easy-payment presentation, the 10 per cent income surtax proposed by the administration is going to hurt. Added to a seemingly endless array of other tax increases, it represents a severe blow to the American people.

In effect, the people are being asked to accept an austerity program which government has stubbornly refused to accept for itself. We are being asked to do as government says, not as government does.

The time has come for the people who pay the bills to insist that government be operated in the same "spirit of sacrifice" that is being foisted upon the public. This can be achieved only by a reversal in attitudes toward government spending—a reversal that must be attained at the voting booths.

The federal surtax plan comes at a time when state taxes have been boosted sharply. The added sales tax alone means paying one per cent more for everything you buy. Higher state income taxes will dig still deeper into the pocketbook. Social Security payments are due to rise from a maximum of $290.40 per year to $334.40 in 1968. Built-in increases in Social Security contributions are scheduled to reach nearly 6 per cent of wages in the next 10 years, with employers contributing a like amount.

Faced with an "unexpected" deficit of $28 billion to $30 billion, the federal government now desperately seeks a way out of its dilemma by shifting to the people the burden of its own neglected responsibilities.

Much of the deficit is the result of a government philosophy which holds that we can spend ourselves into prosperity, happiness and peace. Even this might be bearable, or at least alleviated, if Congress did not go out of its way to find new ways to waste money.

Scarcely is a spending program operational until new and broader ones are sought—and granted. Dubious and needless schemes for everything from social experimentation to more lavish incomes or surroundings for government officials are approved.

The federal treasury seems to be regarded as an inexhaustible slush fund with which politicians buy votes.

And everyone with a glib sales pitch undoubtedly could persuade Congress to appropriate millions for research into the sleeping habits of gnats.

As Kin Hubbard once said: "Who remembers when folks used to get along without somethin' if it cost too much?"

Certainly few can remember government taking that attitude. But it is more than probable that the people will be forced to do so. Excessive taxes have an adverse effect on business, further reducing the welfare of the people.

If government officials are troubled by huge deficits—although this seems to be a relatively recent development—the time has come for them to stop their wasteful spending.

If they won't stop it, the voters must.

Every citizen should demand that his representative in Congress work to halt needless expenditures or not return him to Washington.

Years of reasoning, argument and pleading have failed.

From now on, votes must talk.

ANTIDOTE NEEDED TO CARMICHAELS AND BROWNS

Mr. ZION. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] 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 Indiana?

There was no objection.

Mr. GURNEY. Mr. Speaker, an antidote to the Carmichaels and Browns is needed to counteract the foul taste these hatemongers have left in the mouths of everyone the world over.

There is such an antidote in the form of a real American and an articulate spokesman now fighting for his country.

There is also ample precedent for what I will propose today.

In World War II, the U.S. Government brought home American troops to be "salesmen" for the American cause, to sell war bonds and to promote unity.

I ask today that my colleagues on both sides of the aisle join me in urging the President, as Commander in Chief, the Secretary of Defense, and the Secretary of Air Force to bring home Col. Daniel James, Jr., of Pensacola, Fla.; and, if need be, selected members of his fighter wing, to tell the American people and the world that Carmichael and Brown are representing the extremists and are doing their country more harm than the Communist Vietcong can ever do.

Members of this House will recall a recent interview, datelined Danang, with Colonel James, a decorated veteran of Vietnam, as well as World War II and Korea.

To quote the AP's lead paragraph:

To a black power leader who says Negroes are ready to fight at home but not in Vietnam, a Negro colonel replies that thousands of Negroes are fighting here "and when we go home we'll have to live down the trouble he and other idiots like him have built."

For those who may have failed to see this refreshing viewpoint. I include the whole story of the interview in the CONGRESSIONAL RECORD.

On Wednesday, I plan to circulate a letter to Members urging each and every one to support this plan, and urging them to cosponsor a sense-of-the-Congress resolution to carry out this plan.

I am also writing to the Chief Executive, his Secretary of Defense, and the Secretary of the Air Force urging the return of Colonel James and his crew.

I would hope that those who favor a strong antidote to the Carmichaels and Browns will enthusiastically support this proposal.

Many Members, including myself, have urged swift prosecution of Carmichael and Brown.

However, this approach offers a long-range solution to combat the poison these hatemongers have injected into the minds of so many of our youth.

Following is the interview:

NEGRO COMBAT PILOT BLASTS BLACK POWER

DA NANG, VIETNAM.—To a black power leader who says Negroes are ready to fight at home but not in Vietnam, a Negro colonel replies that thousands of Negroes are fighting here "and when we go home we'll have to live down the trouble he and other idiots like him have built."

The majority of American Negroes oppose the extremists of their race, said Col. Daniel James Jr., 47, of Pensacola, Fla., a pilot with 56 combat missions over North Vietnam. "But we must speak out firmly against them and violence."

"This thing got to me, the lawlessness-rioting," James declared in an interview. "Men like Stokely Carmichael acting as if they speak for the Negro people. They don't, and they've set civil rights back 100 years.

"Carmichael says he will fight with guns. Well, who has the guns? You can't physically outpower the majority and if you could it would be wrong—it is just stupid."

AMERICAN POWER

"Black power—I don't know what that is," said James, the tall, soft-spoken deputy commander of the 8th Tactical Fighter Wing.

"But I know what American power is. Our wing isn't a black wing, or a white wing or a green wing—it's technicolor, all-American."

James tried to strike a nonviolent blow for Negro rights as a young lieutenant in World War II. He and 100 other Negro officers were arrested when they tried to visit an all-white officers' club at Johnson Field, Ind., after they had been warned to stay away.

Three of the demonstrators were court-martialed. Two were acquitted and the third was convicted of resisting arrest.

In 1948, President Harry S. Truman ordered integration of the armed forces "and the military has proven that it will work," James said.

CITES RESPONSIBILITY

As for violent struggle, "call me an Uncle Tom," said James, "but we have to step up, now, and say, 'This isn't going to happen in our town.' If the responsible people take their stand, these black power people will be out of business."

James, a 27-year Air Force veteran who flew 101 combat missions in the Korean War, describes himself as "an American and an Air Force officer who believes in old-fashioned patriotism."

"Hell, I'm no African," he added. "I'm an American. Put me in Africa and I'd be lost."

His wife, two sons and a daughter live in Tucson, Ariz. His daughter is married to an Air Force major, son Claude will be a junior high school student this fall, and son Danny is in the Reserve officers' training program at the University of Arizona.

Did James write to counsel Danny about the racial violence this summer?

"No, I've been teaching him for 21 years," the colonel replied. "I don't have to preach to him now. He knows he is there to get an education and become an Air Force officer."

THE STRANGE CASE OF GRACE MAILHOUSE BURNHAM (BERNHEIM) McDONALD AND THE CALIFORNIA FARMER-CONSUMER INFORMATION COMMITTEE

Mr. ZION. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. UTT] 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 Indiana?

There was no objection.

Mr. UTT. Mr. Speaker, for more than 25 years the California Farmer-Consumer Information Committee, formerly known as the California Farm Research and Legislative Committee, has been active in backing legislation which is supposedly designed to help the family farmer. Throughout that time its executive secretary, Mrs. Grace McDonald, formerly Mrs. Grace Mailhouse Burnham, has been most active. She has showered Members of Congress and State legislatures with letters and resolutions and has been most active in promoting liberal and even leftwing causes. Such a person who attempts to wield influence and one who heads such an organization should be thoroughly studied. That is my purpose today, to present an objective and factual study of the former Mrs. Burnham.

Anyone who has observed the writings of Grace McDonald in the magazine California Farmer-Consumer Reporter, published by her organization, would have noted the regular recurrence of anti-free-enterprise views and an antagonism for private utilities and corporate farm operations. By embracing "good" programs such as air pollution control, railroad grade-crossing safety, agricultural zoning, and opposition to all rate increases at Public Utilities Commission hearings, an aura of "good" has surrounded the committee's activities. To all but well-trained observers, the committee is an innocent and well-intentioned organization.

But a study of who and what Grace McDonald really is, what her movements have been over her lifetime, and of her working relationships with local and national Communists, raises enough doubt to bring her and the purposes of her organization under a serious cloud.

Grace McDonald was born Grace Lois Mailhouse on April 18, 1889, in New Haven, Conn. She was the daughter of a New Haven physician and professor at Yale University, Dr. Max Mailhouse. In the early 1900's Grace Lois Mailhouse was married in the Borough of Manhattan to Lee Solomon Bernheim. In 1920, Bernheim, with two other men, formed the St. Dennis Offices Corp., which owned the premises at 799 Broadway, New York City. This turns out to be a very important address.

By 1923 Grace and her husband began to use the name Burnham and were using it when Lee Solomon (Bernheim) Burnham died November 14, 1923, at the A. R. Stern Hospital of causes unknown. The death certificate, made out in the name of Lee Solomon Burnham, identifies the decedent's father as Bernheim.

Upon Burnham's death, his wife Grace inherited $500,000 in cash according to the New York Daily Mirror. Among her inheritance was Burnham's interest in the St. Dennis Offices Corp., including the building at 799 Broadway.

On page 528 of appendix IX of the publication "Investigation of Un-American Propaganda Activities in the United States," House of Representatives, 78th Congress, second session, are the following words:

> Champion was published at 799 Broadway, New York, N.Y., which is also the headquarters of the Young Communist League and many Communist Party organizations. The building at 799 Broadway . . . is owned by the notorious woman Communist, Grace Burnham.

Another tie-in between Grace Burnham and the Communist Party involves a rather curious story which occupied the headlines of New York newspapers in 1928. This is the "eugenic baby" story.

On January 10, 1928, at Lying-In Hospital in New York City, Grace Mailhouse Burnham gave birth to a baby girl whom she named Vera. She refused to name the father of the child, born 3 years after the death of her husband, and stated that her child was an "eugenic" baby. Approaching middle age, she desired a child but not matrimony and deliberately picked a male for the child's father who had what she considered the right physical and mental attributes to produce a perfect progeny. New York newspapers carried the story for approximately 3 weeks and the front page of the Daily Mirror for January 24 carried a full-page photograph of Mrs. Burnham. Still a different picture of Mrs. Burnham was published in the Mirror for January 25, 1928. Both of these bear more than just a striking resemblance to the Grace McDonald who works today as executive secretary of the California Farmer-Consumer Information Committee.

There is more to the "eugenic" baby story than just spectacular headlines. According to Benjamin Gitlow, Communist candidate for Vice President of the United States in 1924 and 1928, formerly a member of the ruling political committee of the American Communist Party and of the executive committee presidium of the Communist International, and the first American Communist to be arrested and convicted by the U.S. Government, the story of Grace Burnham and her "eugenic" baby was embarrassing to her Communist associates. On page 509 of Gitlow's book entitled "I Confess the Truth About American Communism," he relates the story of Grace Burnham and her baby. At one point he says:

> The matter came up in the Secretariat of the Party because it involved Grace Burnham, who was a prominent Party member, and William Winestone, a member of the Political Committee and secretary of the New York District. Harriet Silverman, Winestone's wife who had recently joined the Party, threatened to expose the whole matter to the newspapers. Harriet Silverman was the director in one of the institutions established by the wealthy Comrade Burnham. It was through Harriet that Winestone came to know Mrs. Burnham, who had inherited a fortune from her former husband. We of the Secretariat were afraid that if the newspapers got the story they would feature it in such a way as to discredit the Communist Party by holding it up to ridicule . . . Mrs. Burnham was calm under the circumstances . . . She reiterated that she was ready to abide by whatever decision the Party made.

In 1935 Grace Mailhouse Burnham (Bernheim) married Joseph Edmond McDonald.

In the April 12, 1949, edition of People's World, McDonald was identified as one who went to the Soviet Union in 1921 as a technical aid for a vast construction project. The article says:

> Since his return to this country, McDonald was outspoken in his praise and support of the great work being done in that socialized land.

The McDonalds moved to California in 1936 where they became active in the labor press. Grace McDonald became involved with the Independent Progressive Party, which has been identified by a California State Senate factfinding committee as a Communist-front organization. This report said:

> The Independent Progressive Party in California was quickly captured by the Communists. By the time the Wallace for President campaign had swung into high gear it was being operated lock, stock and barrel by the Communist Party in California.

Grace McDonald is identified in the August 3, 1948, edition of the Communist newspaper, People's World, as having nominated Paul Taylor as IPP candidate for the Eighth California Congressional District. Taylor was the brother of IPP's candidate for Vice President.

In 1948 Grace McDonald set up a Farmers for Wallace Committee.

In 1950, the IPP held a mass rally in Sacramento which included Grace McDonald of the California Farm and Legislative Research Committee as a bay area representative.

She signed an IPP petition in 1950, representing the same organization.

Mrs. McDonald's principal tool for influencing legislation has been the California Farm Reporter, now called California Farmer-Consumer Reporter. This publication was recognized in 1951 by Pettis Perry who stated in an article on page 63 of the July 1951 issue of Political Affairs entitled "The Farm Question in California":

> Along with the question of building the Party, we must build all of the left and Marxist press. In California there is the Farm Reporter. This should be built to a mass publication. It would be most helpful in advancing the work among the farmers if this were done.

Pettis Perry was national secretary of the Communist Party's Negro commission, chairman of its farm commission, and one of 17 Communists seized by the FBI in June 1951. He was convicted as a Communist in the Los Angeles Smith Act trials and was elected to the national committee of the Communist Party in 1940. Documentation of Perry's record is contained in the Dies committee and Tenney reports of 1945, 1947, 1948, and 1949. Perry died in Moscow in September 1965.

In March 1950, Mrs. McDonald was reported in the People's World as a cosponsor of a speech by Mrs. Eslenda Goode Robeson, a Negro speaker and identified Communist. She also sponsored speeches by Dr. Linus Pauling and was one of the signers of an amnesty plea sent to President Truman seeking amnesty for Communist leaders convicted under the Smith Act.

From 1948 to 1954 Helga Weigert was closely associated with Grace McDonald. In 1948 she was listed as research associate for the California Farm Reporter and in 1949 became secretary of the California Farm and Legislative Research Committee.

Helga Weigert was the wife of George Lohr who, with his wife, accepted voluntary deportment from the United States in February 1954 after being subpenaed by a Government committee which was investigating their Communist affiliations. They asked for and received asylum in Communist Czechoslovakia.

Grace McDonald was also closely associated with Philip Hunt Davis who was identified as a Communist before the Washington State Committee on Un-American Activities in 1948 by his own father and by police records which were submitted into testimony.

Another very interesting personality associated with Mrs. McDonald on the California Farm and Legislative Research Committee was William Reich, associate editor of the California Farm Reporter. He has a record of Communist activities dating back to 1936 when he was educational director of the Pennsylvania Unemployed League, a Trotskyite organization. In July 1947 he was appointed as a field representative of the California Farm and Legislative Research Committee. In 1948 the San Diego Police Department reported that Reich was the former educational director of the Communist Party in San Diego. He was subpenaed before the Committee on Un-American Activities of the House of Representatives in June 1960. Their report identifies Reich as a Communist at page 2139.

This is the history and the associations of Grace Lois Mailhouse Burnham (Bernheim) McDonald who has been honored by a resolution passed by the California Legislature, city councils, legislators, both State and National has been quoted by respected citizens, and has claimed the attention of various Secretaries of Agriculture, from Charles Brannen to Orville Freeman.

Mr. Speaker, to all those who might be influenced by Mrs. McDonald and her committee, who receive her paper and who listen to her orally expressed views, I submit that these facts should be considered in determining her creditibility.

TAX INCREASE

Mr. ZION. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CHAMBERLAIN] 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 Indiana?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, as hearings open this week before the House Ways and Means Committee on the President's request for greater tax increase, I wish to bring to the attention of the House a newspaper editorial published in the August 9, 1967, issue of the Ingham County News of Mason, Mich., which poses the very timely question "Congress, Are You Listening?"

The message is simply this: A priority system on the spending programs of the Federal Government must be established before any tax increase can be justified in the minds of the American people. I would certainly hope, although it is not a well-rounded hope in view of past experience, that the administration would not continue to turn a deaf ear on such advice.

Under unanimous consent I include the editorial in the RECORD at this point:

CONGRESS, ARE YOU LISTENING?

The people of the United States are talking. The big question is whether congress is listening.

The reaction to the administration's request for a whopping 10 per cent income tax surcharge has been evident. Many people would prefer the alternative of less spending for pie in the sky. Many others can see a surtax but not a 10 per cent bite.

The decision rests with congress.

A congress responsive to the electorate would certainly stand up and establish a priority system on the spending programs of the federal government.

We are committed in Vietnam, for better or for worse. This is a priority. The dollars we spend there should be spent judiciously to get the best results.

We are committed to other spending programs, both domestic and foreign, which should be continued but some savings most certainly could be made by paring the fat from these programs. Other programs should be halted completely.

The space race is entertaining and from a scientific aspect, provides us with much information and technology but all waste should be trimmed.

There will be no trimming, though, unless congress reasserts its position in the American plan of government. Many of the decisions formerly left to congress have been usurped through the years by a succession of aggressive and ambitious administrations bent on self perpetuation.

It's time we returned to representative government and what better time than now with the American people facing problems on every hand.

BURDENSOME TAXATION

Mr. ZION. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CHAMBERLAIN] 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 Indiana?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, the President's second call this year for increased taxes has met with an even less enthusiastic response than his first, last January. Raising taxes is, of course, never popular. Nonetheless, at times the need for added revenues is understood and accepted. This is not the case today simply because too many people recognize that the incredible budgetary crisis that we face is basically something of the administration's own making.

Regardless of how each of us may feel about the war in Vietnam, all, I think, can agree that this Nation should never be brought to the point where it cannot act to protect its interests, and those of the free world, without facing the financial mess that we have. Years of unrestrained Federal spending, of fiscal and monetary gimmickry, and of mismanagement of the economy have all landed us where we are today—at the doorstep of a $30 billion deficit for just 1 year.

Until the administration takes real action to cut spending, the President will have failed to make his case for increased taxes. There should be no mistake about the temper of the American people on this point. Consequently, as the hearings before the Ways and Means Committee get underway this week, I insert in the RECORD two very pertinent editorials: "Burden of Taxation Becoming Oppressive," appearing in the State Journal of Lansing, Mich., on August 7, 1967, and "'War Tex' Conceals Domestic Spending," appearing in the Jackson, Mich., Citizen Patriot of August 4, 1967.

The editorials follow:

[From the Lansing (Mich.) State Journal, Aug. 7, 1967]

BURDEN OF TAXATION BECOMING OPPRESSIVE

President Johnson's proposed 10 percent "temporary surcharge" on corporate and individual income taxes has not been accepted with any particular satisfaction by American taxpayers, or by the members of Congress for that matter.

And here in Michigan, the President's proposal received a particularly chilly reception in view of the fact that his surtax on individuals was proposed to begin Oct. 1, the same date that Michigan's new income tax becomes effective.

The President suggested that the surcharge on corporate income taxes be retroactive to July 1, a rather surprising proposal entirely contrary to the history of tax increases in this country. If accepted by Congress, it would have disrupted completely the financial planning of American corporations, large and small, since it provided no breathing spell for such corporations to prepare for an increase.

Fortunately, the temper of Congress seems to be clearly to reject the President's proposal, at least insofar as the timing is concerned. If a surcharge is to be invoked on corporations, the Congress apparently will not make it effective before Oct. 1, and appears ready to delay it for individuals until Jan. 1. There still is no certainty, either, that the 10 per cent figure proposed by the President will be acceptable. In previous announcements, Mr. Johnson had indicated that he would seek a six per cent surcharge on taxes and the increase to 10 per cent came as somewhat of a surprise.

The budget deficit for this fiscal year is far greater than the President had previously predicted. Astute politicians familiar with government finances have been saying for some months, however, that the President's forecasts were far too low and that the administration was aware all along that the deficit was inaccurate.

The decision to increase the scope of the American commitment in Vietnam undoubtedly is a factor in the recommendation for the surcharge.

It is interesting to note that even before the President proposed the tax increase a survey by Louis Harris revealed that more Americans, 46 percent, are opposed to the program to land a man on the moon in this decade than they are those, 43 percent, who favor it.

And now cames the necessity for diverting more funds to the problems of the cities as a result of the growing rash of civil disorders and to attach the problems which cause them.

Despite what the President has been saying all of the years that he has served in the White House, it is becoming quite obvious that the American people cannot support financially the "both guns and butter" program of the national administration. Defense costs are skyrocketing and the urban problems are so urgent that they cannot be ignored. Space projects, desirable as they may seem, may have to be given a lower priority rating and other nonessential projects likewise reduced. Perhaps even some of the nations of the world will have to take their hands out of the pockets of the American taxpayer and we may need to reassess some of our military and defense commitments.

And it would be appropriate, too, if government at all levels studied very carefully the make-up of their financial priority lists and did some judicious rearranging and pruning.

[From the Jackson (Mich.) Citizen Patriot, Aug. 4, 1967]

"WAR TAX" CONCEALS DOMESTIC SPENDING

President Johnson has cast the die; he wants a tax increase so he can go on doing everything at once, trying to be all things to all people.

The tax request he passed to Congress was almost anti-climactic, having been liberally discussed since before the beginning of the year.

There is sugar coating on the request, though, in that it would be a 10 per cent surcharge on present taxes. That is, taxpayers would just add 10 per cent to the amount of income taxes due.

Another bit of sweetener was added in the recommendation the tax be enacted as a temporary one.

That temporary bit is for the birds. The nation is still paying a whole flock of temporary taxes passed in the early 1940's to finance the war.

It has been 22 years since World War II ended, but those temporary taxes still cost everyone money every day. In fact Johnson specifically requested retention of some previously scheduled to be cut.

One must give Johnson credit for one thing: He's adamant about not cutting federal spending one tiny bit, no matter how much the governmental payroll grows or how much individual taxpayers may object.

The Great Society trudges along under the misapprehension that federal funds can buy anything the Administration's or Congress' hearts desire.

Until now the speculation and urgings for a tax increase have been pegged on an effort to do something about inflation by reducing the individual's purchasing power; the need for expanding domestic spending or the growing war effort.

Johnson has decided to appeal to patriotism and has now said the government needs more money because of the war. Wave some flags and pay up, and up.

Obviously the President couldn't peg his request for more money on the need to halt inflation. He claims he accomplished that bit of legerdemain long ago through his storied ability as a politician. What's left of the inflationary spiral is just normal, nothing to be concerned about, according to the Administration.

Similarly, he couldn't ask for the tax increase in order to expand domestic Great Society programs. He would have received too much static from the electorate—and the next election is just over a year off.

By hanging his coat on the war hook, the President does more than just make a patriotic appeal for more taxes.

He frees other funds that might be used for the war so the grandiose Great Society can continue its great leap forward. At the same time it dampens inflationary pressures by taking money from the individual and pouring it into the deficit-ridden national treasury.

Lest anyone get the idea that all Great Society programs are bad, a reminder is due that Head Start is a success.

President Johnson is obviously not impressed by the fact the combination of rising prices for everything plus spiraling taxes at the local, state and national level puts people in a real bind when it comes time to pay for essentials like food, clothing, medical bills and shelter.

Perhaps Congress will be more receptive to hearing and heeding.

Someone has to learn that taxpayers' pockets aren't bottomless pits filled with surplus cash. When that happens perhaps the federal government will begin operating on a responsible financial basis.

THE FIGHTING 69TH—THE RAINBOW DIVISION CELEBRATES ITS 50TH ANNIVERSARY

Mr. ZION. 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 Indiana?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, on August 26, at Camp Drum, N.Y., a parade will commemorate the 50th anniversary of the famous Rainbow Division, the 42d Infantry, New York Army National Guard, whose commander today is Maj. Gen. Martin H. Foery and whose information officer is Maj. E. P. McGrath.

Yesterday, August 14, was the actual date for the 50th anniversary and it brought to mind the famous names that have been associated with the Rainbow Division since its formation in 1917 as New York's 69th Infantry, sometimes known as the "Fighting Irish."

Serving in their ranks was Father Duffy, and I am pleased to say that Father Duffy Square is in my district at Broadway and 47th Streets. Also, in my district, are the present headquarters of the 71st Infantry in the armory at Park Avenue and 34th Street, as well as the 7th Regiment.

Gen. Douglas MacArthur at one time headed a brigade in this group. As a member of the New York City Council, I sponsored the legislation for General MacArthur Plaza and Memorial Park right near the United Nations.

I was also proud to know Gen. "Wild Bill" Donovan of OSS fame in the Second World War, fought with the Fighting 69th in the First World War.

With so many personal remembrances, Mr. Speaker, I extend a cordial salute to the men of the 42d and their families on this significant occasion in New York City.

EXTREMIST ORGANIZATIONS MUST BE CURBED

Mr. ZION. 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 Indiana?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, one of the extremist organizations which has been listed by Mr. J. Edgar Hoover in his latest appearance before a House subcommittee is the group, Revolutionary Action Movement—RAM. Mr. Hoover said:

RAM, a Negro organization, is dedicated to the overthrow of the capitalist system in the United States, by violence if necessary, and its replacement by a socialist system oriented toward the Chinese Communist interpretation of Marxism-Leninism.

An excellent verification of Mr. Hoover's appraisal appeared in the Philadelphia Inquirer of August 9 concerning the prosecution of six persons charged of conspiring to incite a riot. I place the article, "Riot Case Hinges on Leaflet," in the RECORD at this point:

RIOT CASE HINGES ON LEAFLET—"DUTIES OF THE BLACK GUARD"

"Duties of the Black Guard," a pamphlet of an arm of the Revolutionary Action Movement (RAM) became the central argument for the prosecution Tuesday in a case against the head of the Black Guard and five teenage youths.

The six are charged with conspiring to incite a riot and have been held on $10,000 bail since July 29. In a hearing on a writ of habeas corpus Tuesday their attorney, Cecil B. Moore, maintained that no case had been made against them at the preliminary hearing.

However, Assistant District Attorney James Crawford alluded to a passage in the pamphlet found at Black Guard headquarters which lists people slated for execution

by the group and adds "there should be no feeling of mercy. They must be eliminated."

Crawford said there could be "no better example of unlawful action" than the pamphlet. "It is an example of a call to action—a combination of a plan, a goal and an organization to reach it. It is quite different from a professorial discussion of ideas."

But Moore maintained that to have a conspiracy, there must be overt action. "The question here is whether the mere possession of articles which some say are inflammatory is sufficient to hold these men for conspiracy to riot."

Judge John J. McDevitt, 3d, took the case under advisement.

AN EMERGENCY WHITE HOUSE CONFERENCE OF THE GOVERNORS ON URBAN PROBLEMS

Mr. ZION. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] 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 Indiana?

There was no objection.

Mr. GOODELL. Mr. Speaker, I have today joined with Representatives QUIE, DELLENBACK, ESCH, and STEIGER of Wisconsin in a call upon the President to convene at the earliest possible date an emergency White House conference on urban problems. It is imperative that the chief executives of the States join together with the Federal Government in achieving the common goal of all Americans.

There is no reason why State involvement in the pressing urban problems of today should be limited in scope to eight States headed by Republican Governors. The problem is national in scope. Urban problems are interrelated with rural conditions. Nowhere could these interrelationships and the need for State involvement be more evident than in the poverty program.

There is a clear and present need for comprehensive social planning at the State level. Today every State has a State office of economic opportunity. These offices are funded at a minimal level, although charged with the major task of energizing local communities to organize local poverty programs. They serve the additional role of coordinating technical assistance on a statewide basis in support of local programs.

A major defect in the present system is exclusion of the States from planning and continuing evaluation of programs. There is no statewide determination of priorities. Moreover, local poverty boards deal directly with OEO regional offices. Today the final determination of local priorities is made by the seven regional OEO directors. These regional offices rarely have a realistic or sensitive understanding of local problems. State directors flatly state consultation between the regional director and the State OEO office is token or nonexistent. Indeed, at this very time, the first national meeting of the 50 State directors ever convened in the 3-year life of OEO is taking place here in Washington.

The OEO proceeds on the theory that community action programs must ultimately be locally financed. But local governments are suffering today from grossly inadequate sources of revenue, and the problems they confront in many cases extend well past the purview of local political subdivisions. In these circumstances it is the grossest neglect for the administration to continue its unjustifiable policy of only token involvement of the States in the war on poverty. Unfortunately, the President must be reminded that it is the States which administer and support a variety of agencies concerned with the development of human resources.

There must be meaningful partnership among all levels of government and all segments of the private sector if economic opportunity is to become a reality for all Americans. The present law must be restructured to fill the existing void left by systematic exclusion of the States. The State governments can mobilize vast, untapped resources on a statewide basis. They are, moreover, eager to assume their rightful role.

There could be no better evidence of this than the meeting of the eight Republican Governors in New York last week. This conference, a direct result of the administration's refusal to call a national conference of Governors, demonstrates the paucity of innovative initiative from the White House. Apparently the administration is content to rely on the tired old solutions of the thirties to defuse the existing tensions and relieve the volatile pressures in our cities. For these reasons we urge the President to convene an emergency conference of all our Governors to give serious consideration to the 60-point statement announced by the eight Republican Governors.

THE ACTION PLAN—THE REPUBLICAN GOVERNORS ASSOCIATION POLICY COMMITTEE

Mr. ZION. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. DELLENBACK] 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 Indiana?

There was no objection.

Mr. DELLENBACK. Mr. Speaker, I rise to call the attention of the House to the action plan for creative State leadership developed by the Republican Governors Association policy committee meeting in New York City on August 10, 1967. I commend these leaders for their demonstrated deep concern and for their creative approach to the problems which should be the concern of each of us.

These chief executives of eight States representing more than 25 percent of the national population have structured a plan which, in their judgment, will return the primary role in the solution of major social problems to the States and their citizens.

Certainly, not every Member of the House will agree with every detail of this plan. Nonetheless, it is incumbent on each of us to give serious thought to these proposals emanating from these men who must deal each day with the problems which plague such cities as Boston, Denver, Detroit, New York, Providence, and Philadelphia.

It is with this thought that I ask the following statement be studied with great care.

ACTION PLAN TO INAUGURATE A NEW ERA OF CREATIVE STATE LEADERSHIP TO MEET THE NATIONAL CRISIS OF SOCIAL INJUSTICE AND LAWLESSNESS

(Recommended by the Republican Governors Association Policy Committee, August 10, 1967)

STATEMENT OF PURPOSE

The tragic epidemic of riots convulsing the core areas of so many American cities underscores the basic responsibilities of state governments.

We are totally concerned about every aspect of this tragic problem. First, obviously, is maintenance of order under law. On it rests not only any viable society but also all other affirmative programs. We must assure the protection of persons and property in the peaceful and lawful pursuits of life. But relying only on better organized force, as some are advocating, forecasts the unacceptable ultimate result of a society based on repression. If our belief in an open society of freedom under the law is to survive, it must be based on a basic agreement among the people and a dedication to the goal that all shall have a stake in the potential and promise of America.

The time for effective action to meet this crisis of urban chaos is now.

We cannot afford delay.

The states can and must play a leading role both in preserving order under the law and in dealing with the root causes of civil disorder.

The Policy Committee of the Republican Governors Association has met, therefore, to determine a positive course of state action commensurate with the staggering dimensions of the problem.

The times demand a firm national commitment to resolve this leading domestic issue. Each of us must work in our respective states to develop solutions of these problems.

PROBLEMS

The recent outbreaks of lawlessness have placed new demands on state governments to stop civil strife and to maintain law and order. The increasing incidence of crime in the streets plaguing so many cities, aggravated by the riots, has made it clear that many localities cannot combat crime effectively alone.

Many of the urban problems of today, which result in human degradation, transcend the boundaries of local political jurisdictions. Individual cities lack the financial resources necessary to meet these problems. The Federal Government, while it has enacted many imaginative programs, is not providing the financial resources on a scale commensurate with the dimensions of the problem and, in many cases, the effectiveness of federal programs is inhibited by unnecessary inflexibility in their administration.

The states must do their part in providing the creative leadership to achieve the solution to today's urban crisis. This solution must be based on a new kind and degree of cooperative action between the various levels of government and the private sector of the society.

For we are confronted by a problem so pervasive that its solution is not one that can be resolved by governments alone.

We recognize that merely pouring more money into outmoded programs will not do the job. We seek new ways to tap the creative and constructive forces in society. Government can and must provide incentive, tools, and funds; but, the disadvantaged

must be given an opportunity to achieve a stake in our society through the investment of their own asperations and energy.

AGREEMENT FOR ACTION

We agree that the crisis is not just a city problem but is the inevitable result of indifference throughout our society. We must therefore mobilize public and private sectors in our states on a scale large enough to assure action on a scale necessary to meet the problem.

We recommend the following action plan of state leadership. We recognize that specific elements of this plan will have greater applicability in some states than in others, and that each state must determine the programs and priorities best suited to its situation and its capacities.

The following action plan includes specific measures regarding state action to:

I. Maintain Order Under Law.

II. Transform the Physical Environment of Slums and all Neglected Areas into Decent Communities.

III. Increase Job Opportunities.

IV. Improve Educational Opportunities.

V. Improve Public Services to Individuals.

VI. Expand Cultural and Recreational Opportunities in Neglected Areas.

VII. Encouragement of Individual Citizen and Private Institutional Participation.

VIII. Assure State Government's Capacity to Meet Urban Problems.

IX. Encourage Flexibility, Speed and Adequate Funding of Federal Programs.

I. State action to assure the maintenance of law and order and control crime

The long standing failure of our society to fully enforce laws relating to housing codes, health and sanitary conditions, gambling, narcotics and other social conditions has discouraged confidence and encouraged a disrespect for the law as an instrument for correcting social injustice. Effective law enforcement depends, therefore, on a just, a firm and an even application of all our laws including those correcting basic social ills as well as those designed to preserve law and order.

When, however, for whatever cause, lawlessness and violence do occur, prompt firm, law enforcement on a sufficient scale is absolutely necessary in preventing isolated incidents from erupting into full scale riots.

We must never lose sight of the fact, when civil disorder threatens, that among those who must need protection of law and order are the residents in the threatened areas, the overwhelming majority of whom are law-abiding, responsible citizens.

Civil disorders

A. *Local Police:* Develop state program and support legislation providing for interlocking agreements between local law enforcement permitting "pooling" of officers and equipment. In addition, make certain that the local officials clearly understand the procedures for utilizing state law enforcement resources.

B. *Local Fire Fighting:* Develop a state program and support for interlocking agreements among local fire departments to permit pooling manpower and fire fighting equipment.

C. *State Police:* Strengthen law enforcement capacity at the state level for the purpose of assisting localities in emergencies.

D. *National Guard:* Request the Federal Government in determining policies for the National Guard, to emphasize now the Guard's responsibility to serve as a tactical force for maintaining order within the states as well as its responsibility in national defense.

Specifically:

1. Urge the Federal Government to provide adequate and more modern and mobile equipment for all Guard forces to enable them to deal with civil disturbances.

2. Request the Federal Government to review the planned reorganization of the Guard in relation to its tactical role in maintaining civil order, giving particular attention to the number of men available for duty and the availability of high level command forces in each State.

3. Endorse the recent action taken by the President to improve and increase riot control training for all Guard units and urge its immediate implementation.

E. *Federal Troops:* Review federal and state law and procedures pertaining to the timely commitment of federal troops.

F. *Review State Constitutional and Statutory Provisions* to assure adequate authority for the Governor to meet emergency situations. Such a review would consider the powers of the Governor in an emergency situation with regard to various levels of law enforcement agencies, the setting of curfews, restricting the sale of guns and ammunition, restricting the sale of liquor, closing streets and other public access routes, and the taking of other emergency steps.

Crime Prevention and Control

G. *Comprehensive State Crime Control Programs and Plan:* Establish a Governor's Committee on Law Enforcement and Administration of Criminal Justice, including officials responsible for crime prevention and enforcement as well as individual rehabilitation, to develop a comprehensive, statewide plan to strengthen crime prevention and juvenile delinquency controls, and generally upgrade criminal justice. Provide financial assistance to local governments to implement the plan, subject to evaluation and coordination by the Governors Committee.

H. *Support those portions of "Law Enforcement and Criminal Justice Assistance Act of 1967"* which would provide for state agency approval.

I. *Training of Police:* State legislation to mandate minimum training requirements for local police and supervisory personnel with appropriate state financial support.

J. *Police Compensation:* Assure just compensation for State and local police, such compensation to be related to the responsibilities which these officials bear.

K. *Encourage community relations programs* to recognize the effective work of the vast majority of dedicated law enforcement officers. Take prompt action against the relative few who derogate law enforcement in the public eye by abuse of authority or by use of excessive force.

II. State action to transform the physical environment of slum areas

A. Mobilize all public and private resources by state action to bring about a complete and basic transformation, rather than piecemeal projects, of slum areas. Comprehensive, well-designed developments, including housing, commercial, industrial, recreational, and community facilities are essential if individuals are to have decent housing and job opportunities.

State action would include the provision of necessary constitutional and statutory authority, and the development of mechanisms to:

1. Finance the development costs and sponsor comprehensive developments in conjunction with private resources.

2. Provide investment capital for projects including housing, commercial and industrial facilities.

3. Pre-finance federal urban development programs.

B. Provide State financial assistance for the development and enforcement of adequate building and housing codes.

C. Encourage home improvements in deteriorating and sub-standard housing by providing tax incentives for such improvements.

D. Propose and implement state legislation regarding prosecution of slum landlords including authorization of "receivers" to collect rents and make repairs.

E. Provide state financial and technical assistance to localities for rat extermination programs.

F. Provide state financial and technical assistance to improve collections and methods of disposal for garbage and other solid waste.

G. Develop program of state financial assistance to help assure adequate mass transportation throughout urban areas to facilitate ready access to jobs.

H. Support state open housing legislation and its effective implementation so that all citizens may live where their hearts' desire and their means permit.

I. State action to encourage zoning policies which overcome social, economic, or racial segregation.

J. State action to require that real estate agents make available lists of all openings for rentals and properties for sale to every client.

III. State action to increase job opportunities

A. Call State Conferences (1) with industries to increase job opportunities, including across-the-board hiring of the disadvantaged and genuine merit promotions, and (2) with unions to secure removal of discriminatory hiring policies and other restrictive measures prohibiting true equality in job opportunities.

B. Provide a state manpower training program to supplement federal programs and meet particular needs of each state.

C. Support state legislation to grant tax incentives to business to locate in slum areas and train workers.

D. Provide state technical assistance to small businesses in urban areas.

E. Expand apprenticeship training programs in cooperation with unions.

F. Promote apprenticeship training in small establishments.

G. Provide state subsistence allowances for job trainees.

H. Inaugurate state programs for recruiting, training, and hiring slum area residents for public employment.

I. Establish a State Manpower Training Academy for training of staff needed in job counseling programs.

J. Develop special summer employment programs including a state beautification program employing youths in the community.

K. Provide state financial assistance to local child day-care services to help parents who want to have gainful employment.

L. State action to provide incentive for welfare recipients to undertake training and gainful employment by permitting income plus welfare benefits which total more than the amount they could receive under welfare benefits alone.

M. Action by state government to promote and enforce equal employment practices in both public and private employment. Contract Compliance Program should be vigorously implemented.

IV. State action to improve educational opportunities

A. Provide state assistance for pre-kindergarten programs.

B. To promote excellence in education, assure that state aid to education formulas recognize special problems of slum area schools including the need for smaller classes.

C. Establish a "community school program" to make the local school a year-round focal point for programs for all residents of slum areas and to encourage the interest of parents of school children in their children's education, health and recreation. The community school program would also provide ample social and health services for the children.

D. Establish a statewide Teachers Reserve to encourage trained but inactive teachers

to return to teaching on either a full or part-time basis.

E. Establish a vocational education system which would have no entrance requirements and would provide work-study programs so that students could study and earn money at the same time.

F. Assure that vocational education courses reflect current labor market conditions.

G. Provide state financial assistance for Urban College Centers in slum areas to make available special academic and vocational training.

H. Provide adequate State Scholarship and Student Loan Programs to assure that no youth is denied the opportunity for a college education because of the lack of financial resources.

I. Develop special state programs to identify talented youngsters who need special help to meet college entrance requirements.

V. State action to improve services to individuals

A. Develop an inter-state Cooperative Training and Orientation Program which would be available to those who have moved or are planning to move from a rural area in one state to an urban area of another state.

B. Establish a State Urban Extension Program to utilize successful agricultural extension techniques and to apply research conducted in universities to the solution of urban problems.

C. Support State Legislation to assure adequate consumer protection and education programs.

D. Provide State financial assistance to meet the unique health and mental health needs of slum dwellers.

E. Develop a State program for comprehensive one-stop government service centers to provide convenient and coordinated services.

F. Provide state support for local human rights commissions so that effective human relations programs, and civil rights enforcement can be implemented so far as possible at the local level.

VI. State action to expand cultural and recreational opportunities

A. Develop State program of financial and technical assistance for the development of recreational and cultural facilities.

B. Expand programs of State Arts Councils to bring exhibitions and performances to slum areas.

C. Utilize governmental facilities in and near slum areas to provide artistic and historical exhibitions.

D. Provide technical assistance to community and civic groups who wish to sponsor cultural events.

E. Encouragement by the State of the use of private resources to develop neighborhood centers for civic and recreational programs.

VII. Encouragement of individual citizen and private institution participation

A. State leadership to encourage leaders of private organizations, churches, service clubs, and civic groups in shaping creative and cooperative new programs in dealing with urban problems.

B. State action to establish an effective link on a continuing basis between the people of disadvantaged areas and government.

C. Organize and promote programs which bring together volunteers who want to help, with people who need help.

D. Organize programs using college and high school students as volunteer tutors for children who need special educational assistance.

E. State action to assure effective dialogue, at the community level, between people of different races.

F. Work with private transportation and recreation enterprises to make their facilities more available to disadvantaged groups.

G. Work out cooperative arrangements between the state and news media to publicize job opportunities.

H. Provide incentives and facilitate the investment of private capital into urban development on a scale commensurate with the magnitude of the problem in order to accelerate necessary action to accomplish the objective as quickly as possible.

VIII. State action to assure State government's capacity to meet urban problems

A. Strengthen the role of the Governor and provide him with adequate staff including appropriate central staff agencies such as planning and budgeting offices so that the Governor can effectively plan, mobilize, and coordinate the use of federal, state, local and private resources to meet today's urban problems.

B. Develop a comprehensive environmental plan under the direction of the Governor for the social, economic, and physical development of each state and its urban areas.

C. Provide state financial and technical assistance to local governments for planning.

IX. State action to bring about flexibility, speed and realism in federal programs

A. Urge federal legislation authorizing states to prefinance federal programs.

B. Support action by the Federal Government authorizing block grants and revenue sharing to help assure a comprehensive, flexible approach to problems and make the most effective use of separate but related federal, state and local programs.

C. Encourage realistic assessment by the Federal Government of available finance resources to fund federal programs in order to avoid the turning of hopes into frustrations.

This then is the Action Plan recommended by the Policy Committee of the Republican Governors Association for confronting the crisis in our cities. The steps necessary to implement elements of this program will vary from state to state depending on existing administrative, fiscal and statutory authority. Some steps will require enabling state legislation and special sessions of state legislatures may be required in some states.

The adoption of this program by Republican Governors represents a powerful commitment by leaders of state government to meet this towering domestic challenge of our time through creative state leadership.

Accordingly, we have agreed to establish a States' Urban Action Center to serve all Governors to:

Provide a team of experts in the various program areas to help tailor specific programs to the needs of individual states.

Receive and disseminate information on actions taken by the states to implement this Nine-Point Action Plan so that all states will have the benefit of the experience in each state.

Applications have already been made to foundations to finance the State's Urban Action Center.

The objectives of this program are nonpolitical. It is a program to provide opportunity. The true national interest can only be served through complete cooperation at all levels of government on a bi-partisan basis with the full support of private citizens.

EDUCATIONAL TAX CREDIT

Mr. ZION. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. SNYDER] 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 Indiana?

There was no objection.

Mr. SNYDER. Mr. Speaker, on May 1 of this year, I introduced H.R. 9521 to provide a tax credit for contributions to institutions of higher education in lieu of other Federal aid programs. Mr. John McCarty, assistant to the president of Rockford College in Illinois, wrote to Joseph W. Barr, Under Secretary of the Treasury, in support of this bill. Mr. Barr's reply brings to light an interesting attitude of Federal responsibility, an attitude which is frightening, as well as surprising.

In objecting to the tax credit plan, Under Secretary Barr said:

> In effect, it is equivalent to having individual members of the public determine the "expenditure" distribution of Federal tax moneys.

What this statement implies is that tax money is the property of the bureaucrats and that the individual has no right to exercise any authority over its use or distribution. Only the vague omnipotent entity known as the Federal Government has enough sense to spend our money for us. It does not matter that the credit would be granted before the taxes were collected. Nor does it make any difference that the Federal Government is a representative body authorized by the people to make and enforce laws and to collect taxes for the maintenance and operation of the United States of America. Only those who are, after all, simply employees of the American public can spend or distribute the taxpayers' money to the best interests of the people.

The true facts are that the same amount of Federal taxes would be allocated to this cause as we now have so allocated, and the merit of the plan is so the taxpayer can select its use within the programed cause, that is, higher education. Additionally the school would get 100 cents on the dollar without the control of the Government on its expenditure. The bureaucrats do not like this plan, but the taxpayers would and so would the schools. Some schools might be reluctant to say so now as it might affect what they now receive.

Mr. Barr's concept is not new. Several thousand years ago Plato advanced the theory of government by an elite. The last time I read the Constitution, it began plainly and clearly "We, the people * * *" This phrase indicates that the Federal Government's only authority to govern or to tax or to spend is that which has been granted to it by the people. The money that individuals pay in taxes is not the property of the administration but of the individuals who constitute the taxpaying public. This system of constitutional government has not worked so badly for the first 190 years. The people have managed somehow without the expertise of professional, elite, Government officials to build the United States into the world's most prosperous nation. For the hirelings of this administration now to refute that system seems pitifully ludicrous—particularly in view of the fact that Mr. Barr's administration has not evidenced even the rudiments of frugality or economic prowess.

This Nation fought a fierce and bloody Civil War to preserve that concept which its leaders memorably proclaimed, "government of the people, by the people and for the people." But this administration,

with simply a few glib remarks, refutes 190 years of tradition and success. The alternative these political gargantuans would, in their infinite wisdom, offer the American public is government not of or by the people, but simply more government for the people.

Defined more simply, the conflict is that of two antithetical concepts of the function of government. Either the government is, as Americans have traditionally contended, the servant of the people; or it has suddenly become, as administration bureaucrats—including Under Secretary Barr—seem to prefer, master of the people. If the latter is indeed the case, not only the United States, but people everywhere are infinitely poorer, for despite the vast resources and infinite benevolence of all our Mr. Barrs, commonsense and individuality of the average American have enriched this Nation and the entire world in a way that will not soon be forgotten.

THE SECRETARY OF AGRICULTURE AND FARM PRICES

Mr. ZION. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] 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 Indiana?

There was no objection.

Mr. LANGEN. Mr. Speaker, it must depend on whose farm commodity sales are glutting the market, according to remarks made yesterday to Utah farm leaders by the Secretary of Agriculture. He requested farmers to market their record-breaking crops cautiously this fall in order to avoid a possible sharp price drop during the harvest season. The Secretary was quoted as saying that careful marketing could help feed grain and soybean producers sidestep the problems encountered this year by wheatgrowers, who, the Secretary said, loaded the marketing channels at harvest, resulting in temporary gluts that pushed prices down.

I am certainly glad that the Secretary has expressed some concern about the depressed farm commodity markets, and I am glad he recognizes that a temporary glut forces prices down. However, it seems unique that he acknowledges such a fact of life at this time, when only a short time ago he denied that the Agriculture Department's Commodity Credit Corporation dumping of grains on the market had any effect at all. American farmers should be able to recall all too clearly the times when the Department announced huge dumpings of Commodity Credit stocks on the market, with the resulting drop in farmer prices. But the Department emphatically denied that such glutting was responsible. At least it is now recognized by all that any temporary dumping of a commodity on the market has the effect of reducing price.

I note that the Department of Agriculture recently conducted a symposium to improve its crop and livestock estimating program. It is good that the Secretary has also finally realized that erroneous reporting of crops, stocks, and forecasts has adversely effected prices on a number of occasions.

These are but two examples of many actions by the Department of Agriculture that have adversely affected farm prices in recent years.

HIGHHANDED MAJORITY RULE: HOW NOT TO RUN U.S. CONGRESS

Mr. ZION. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I desire to call the attention of my colleagues to an excellent commentary on minority staffing by Roscoe Drummond which appeared, among other places, in the Philadelphia, Pa., Enquirer of August 13, 1967. Under leave, I shall include the entire text of the column at the end of my remarks.

My colleagues will well remember the debate in the House of Representatives on April 5, 1967, in connection with House Resolution 364 to provide funds for the Committee on Science and Astronautics. This discussion, including my motion to recommit to add funds for minority staff assistants, appears in the CONGRESSIONAL RECORD of April 5, 1967, pages 8410–8420.

S. 355, which passed the Senate by a vote of 75 to 9 on March 7, 1967, for the first time in the history of the Congress recognized the need of the minority for staff assistants on committees to assist them in the study of problems before the committee, enabling them to advance differing points of view more effectively.

The Legislative Reorganization Act of 1946, in providing professional staff members for committees, contemplated that there would be an equitable assignment of professional staff to the minority, but left it to the discretion of a majority of the committee. S. 355 would grant the minority, as a matter of right, rather than as a matter of grace at the whim of the majority, the right to appoint professional staff assistants loyal to the minority and capable of assisting minority members in articulating their point of view and their political philosophy on the national problems dealt with by the committee.

STAFF IS VITAL

Mr. Speaker, as the Federal Government has grown in size, not only of personnel and expenditures, but in the diversity of the subjects with which it deals, it becomes less and less feasible for elected legislators to deal effectively and intelligently with complex problems in their own time. Thus, the professional advice and assistance of committee staffs become more and more important.

The essence of a legislative body is the advocacy of differing solutions to problems, studying the prospective effect of proposed enactments, and finally arriving at either a compromise or a conclusion after full and free debate and thorough consideration of the elements involved. The contribution of the minority and the effectiveness with which they present their points of view have a very important bearing upon the quality of the legislative product.

To muzzle the minority by denying them professional assistants, particularly in a situation where the majority party is in control of both the bureaucracy and the Congress, is to diminish the importance of the legislative body and the expression of the will of the people through elected representatives. Mr. Drummond's analysis of the importance of the minority staff for committees is especially cogent. I quote:

> Much legislation and most committee reports are shaped by the expert staff. When all of the experts on a Congressional committee are responsible—for their appointments and for their work—to the chairman and the majority party, they do not busy themselves helping the minority to develop investigations, special information and policies alternative to those of the chairman or of the Administration, which has vast resources to push its views.
>
> Would you want to have your defense in court handled by counsel appointed by the prosecutor and responsible to him?

CHAIRMAN BLOCKING REFORM?

Mr. Speaker, I suspect that one of the primary reasons that S. 355 is frozen in the Rules Committee is the opposition of the chairmen and other members of the majority party to provide adequate assistants for the minority members of committees. As a member of the Joint Committee on the Organization of Congress and as chairman of the Republican task force on congressional reorganization and minority staffing, I predict that the majority of this Congress will have to answer to the country for killing congressional reform. It may be that the majority is taking its chances that other issues—the Vietnam war, crime in the streets, riots, and so forth—will absorb so much of the attention of the public that no significant reaction will develop from the majority party's death blow to congressional reform. Personally, I think this is a miscalculation and an underestimation of the sophistication of the American electorate. This is particularly true in the light of the Baker, Powell, and Dodd situations and the widespread public demand for higher ethical behavior in the Halls of Congress.

Mr. Speaker, advocates of congressional reform have been waiting since March 9, 1967—5 long months—for the Democratic majority in the Rules Committee of the House of Representatives to report S. 355 to the House floor so that the Members of the House can work their will on congressional reform. I think the leadership and the members of the Rules Committee owe an explanation to the Members of this House for this sorry record.

The text of Mr. Drummond's article is as follows:

HIGH-HANDED MAJORITY RULE: HOW NOT TO RUN U.S. CONGRESS

(By Roscoe Drummond)

WASHINGTON.—A few high-handed power-minded Democratic committee chairmen in Congress today must think their party is

going to keep control forever. They seem to believe that the minority ought to be kept under heel, speak only when spoken to and then say very little.

A unique and egregious example of this came out the other day in the House during a debate led by Rep. James C. Cleveland (R., N.H.) on minority staffing for the Science and Astronautics Committee.

The chairman of this committee is Rep. George P. Miller (D., Calif.). Let the facts speak for themselves:

By unanimous vote the Democratic and Republican members of the Joint Committee on the Organization of Congress adopted the principle that each committee shall have staff experts selected by and responsible to the minority whenever the minority shall so request.

The Congressional Reform Bill, passed overwhelmingly by the Senate and now waiting action by the House, provides that for all committees "at least two of the authorized professional staff positions shall be appointed by and assigned to the minority."

Chairman Miller of the House Committee on Science and Astronautics refuses to honor this principle.

The Republican members of this committee have repeatedly requested that professional staff responsible to the minority be made available to it.

Chairman Miller has repeatedly rejected these proper requests—and still does so.

LOUDEST OF ALL

The facts speak for themselves and here is an additional fact which speaks louder than all of the others:

Representative Miller is the only chairman of a House committee without any staff assigned to and responsible to the minority where there has been a reasonable request for such assistance.

Chairman Miller is unique—unique in a one-sided, high-handed way which ought not to be allowed to continue. Even Miller's fellow House Democratic chairmen have come to see that such one-sided high-handedness is shortsighted because the time will come when the Democrats will not be in control and could then be the victims.

EXPERT SHAPING

The case can be put even more pointedly. Much legislation and most committee reports are shaped by the expert staff. When all of the experts on a Congressional committee are responsible—for their appointments and for their work—to the chairman and the majority party, they do not busy themselves helping the minority to develop investigations, special information and policies alternative to those of the chairman or of the Administration, which has vast resources to push its views.

Would you want to have your defense in court handled by counsel appointed by the prosecutor and responsible to him?

The Science and Astronautics Committee of the House oversees an agency of the Federal Government—NASA—which has one of the largest budgets, more than $15 billion a year. In a two-party system the minority is simply unable to do its job effectively without staff creatively serving the minority and responsible to it.

It seems incredible that Representative Miller is able to get away with the kind of high-handedness—and short-sightedness—which makes him the only House committee chairman throttling the minority in this way.

SUPPLY OF ANTI-JEWISH PROPAGANDA MATERIAL TO THE STUDENT NONVIOLENT COORDINATING COMMITTEE

Mr. ZION. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. BROYHILL] 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 Indiana?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, I am asking the Secretary of State and the U.S. Attorney General to investigate the supply of anti-Jewish propaganda material to the Student Nonviolent Coordinating Committee, better known as SNCC, by the Embassies of Arab nations.

I refer to the Los Angeles Times report of August 14, written in Atlanta, Ga., by Jack Nelson. Mr. Nelson quoted Ralph Featherstone, SNCC program director, as having "acknowledged that the source of some of SNCC's material was Arab Embassies."

This raises a serious question of foreign diplomatic missions in Washington stirring up internal racial tensions, prejudices, and perhaps even violence on the domestic American scene.

I am asking that the Department of Justice and the Department of State examine Arab diplomatic connections with SNCC to determine whether certain Arab diplomats should be declared persona non grata and asked to leave the United States. We have noted in recent months the close collaboration of some Arab nations with the Soviet Union and Communist policies, Mr. Speaker. We know that the Kremlin has sought to exploit tensions created by turning race against race, religion against religion, group against group, to advance Communist aims.

I am inquiring, meanwhile, into the tax status of SNCC to determine if it is accorded the status of tax-exempt foundations.

In view of the admissions by Featherstone of SNCC that it is an agency that disseminates foreign propaganda, I think that SNCC should not only be denied any tax benefits, but should be required to register under the Foreign Agents Registration Act as a propaganda medium of foreign nations.

LONG HOT SUMMERS AND LONG COLD WINTERS, TOO

Mr. ZION. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] 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 Indiana?

There was no objection.

Mr. REID of New York. Mr. Speaker, when lawlessness and rioting are tearing at the fabric of urban life, we tend to think in terms of massive solutions to these problems, which, more than any other short of the Vietnam war, have been foremost in the minds of Americans this summer.

Clearly, decent housing, quality education, lasting job opportunities, and improved recreation facilities are the basic needs of the ghetto areas of our cities and the principal problems to which we must address ourselves at all levels of government and private enterprise.

But even the ultimate success of these infusions of financial assistance will depend on the effectiveness of community leadership in all areas. Local human rights agencies can be especially valuable in mobilizing community resources and shaping local attitudes toward community problems.

This is the thrust of an article which appears in the most recent issue of the National Jewish monthly, a publication of B'nai B'rith, written by Alexander F. Miller, national community service director of the Antidefamation League of B'nai B'rith, and chairman of the Human Rights Commission in New Rochelle, N.Y. Mr. Miller draws on the experience of the New Rochelle Commission—which has worked creatively and effectively in meeting a number of intergroup problems in the community—to frame a thesis that, in my judgment, has national application.

I believe that Members will find Mr. Miller's article of interest and, under unanimous consent, I am inserting it in the RECORD:

HOW ONE COMMUNITY IS TRYING TO AVERT LONG HOT SUMMERS AND LONG COLD WINTERS, TOO

(By Alexander F. Miller)

The white and Negro communities in many cities seem to be on a collision course. I fear that both communities are so set in their present patterns it is almost impossible for them to alter course. Violent collisions, which could dwarf those we saw during the hot summers of 1964–65–66, seem inevitable.

Early in May I attended a 3-day national conference on the subject of violence growing out of racial conflict. What made it unique was the presence of ranking police officials representing cities regarded as potentially explosive, and militants and activists from the Negro community.

What were the black nationalists, the black power advocates, the Negro activists saying?

SEE GOOD IN VIOLENCE

It was their consensus that violence was not only unavoidable but could well be a constructive factor in race relations. Through violence the black man can find identity, purpose, pride in race. The struggle itself will assist him to grow stronger. The strength factor is important because in his view the Negro today speaks from a position of weakness. Only when he forcibly wrests for himself a position of power on the American scene can he demand and secure his equal rights. In the meantime, there is no need to keep open the channels of communication; it is impossible for both groups to talk one to the other because while they both use the same words, the languages are completely different.

I do not know how large are the groups which these militants and activists represent, but I do not think their size is a significant factor because these leaders can become catalysts in the tension situations which are present in every ghetto of this country. Their voices are loud and persuasive and they fall on ears which have been made receptive by all the evils related to ghetto living: bad housing, de facto segregated schooling, unemployment. All these evils have led to the current moods of despair, disillusionment, frustration, cynicism, and anger. The sad fact is that even without the pressure of militant activists, the possibility of violence is still great.

Additional ingredients are present in every urban center, making the situation even more volatile. There are the activists of the

old left and the new left, as well as those who vigorously oppose the war in Viet Nam. Among the latter are those who feel that the effort to secure civil rights and eliminate poverty on the home front cannot be waged successfully while we are draining off funds and manpower in Southeast Asia.

What of the other element in this collision course—the white community?

I sense a growing impatience among whites with protests and demonstrations by Negroes, whether lawful or not. This has already resulted, in some cities, and will increasingly result in others, in demands that law enforcement authorities suppress rioters—especially Negro rioters—far more vigorously than in the past. There is also the added dangerous factor of white activists, as we have seen in Cicero, Louisville, and other cities, militantly attacking Negroes—not to mention former Governor George C. Wallace of Alabama and certain elements of the radical right who are helping crystallize pro-segregation anti-Negro sentiment in the white community.

WANTED: ONE MIRACLE

Can the collision be averted? Only if a minor miracle occurs. Only if leaders in American cities can be made to recognize the potential danger. Only if these leaders stir themselves to constructive action which will begin to move their communities ahead at a pace far more rapid than before.

There is one way by which communities may possibly avert violence, or at least reduce the force of the explosion. The many programs which have been started sporadically in various cities must be intensified immediately. Only if there is a total community mobilization involving Government and private agencies, organizations, business enterprises and individuals, can the kind of significant progress be made that will replace despair and frustration with hope.

This sounds facile, when set down on paper. Actually, and unfortunately, to get a city to stir itself out of its apathy and bring the needed forces to bear on its problems is a tremendously difficult and complicated task—unless, of course, the leadership is motivated by a crisis situation. There has been community progress in a number of cities beset by riots during the past few summers, a fact not unnoticed by militant activists.

This leads us logically to the role of the city Human Rights agency. This is the agency that should serve as the catalyst to blend the energies of Government and private organizations into this broad general attack on the problems of the ghetto.

PREVENTION IS NEEDED

One of the great services the Human Rights Commission can perform is to attempt to get the city to move before the crisis occurs. With the aid of the mass media, the dangers inherent in letting things drift can be made apparent. Self interest can be appealed to. It is better and cheaper to give hope to a young man than to have him hurl a Molotov cocktail into a business establishment.

One of the factors leading to apathy on the local scene is the impression that Government—especially the federal establishment—has set up so many agencies, and is spending such large sums, that there is no longer any need for the participation of private enterprise. Nothing could be further from the truth.

The record is plain. Despite all the efforts by Government, the racial crisis appears to be deepening. There must be total community mobilization.

This means that the Human Rights Commission must enlist in the total effort, in addition to the usual agencies, those forces which are too rarely asked to cooperate: the Chamber of Commerce, the service clubs, department store owners, manufacturers, realtors—in other words, the members of the so-called power structure. But for the city Human Rights Commission to do this it must have a clear view of what it is and what it is trying to accomplish.

The first objective of a city commission should be to establish a philosophy of operation as well as a feeling of rapport, understanding, and unity among its members. Sometimes the need for doing this is overlooked or taken for granted. Nothing could be more fatal to the success of the work.

If the commission in New Rochelle, New York, is any criterion, the members are chosen usually because they are persons of status or because they have been in the forefront in the civil rights struggle as protagonists of private organizations having a unique constituency and a special point of view. Suddenly the commission members find themselves sitting around a table considering problems jointly instead of being placed at opposite ends as adversaries. Instead of representing a particular group or cause, they must now represent all the people. This is not an easy or simple transition. It takes time and patience and vision to overcome suspicion and antagonism.

At the same time the government agency, particularly at the local level, must recognize that while it has a distinctive role to play, it does not have the only one. Private groups have the responsibility for presenting their unique points of view ably and aggressively. It would be calamitous if, because of the proliferation of government civil rights agencies, private organizations went out of business or were seriously weakened. It is the responsibility of the government agency to harmonize and blend the various points of view for the greater good of all the citizens consistent with the basic goals towards which all are striving.

GOALS ARE DEFINED

What are the goals? Each commission needs to define them carefully. The ordinance which brought our New Rochelle Commission into existence outlined our duties as follows:

"Foster mutual respect and understanding among all racial, religious, and nationality groups within the city.

"Inquire into instances of tension and conflict among or between various religious and nationality groups, and take such action as may be designed to alleviate such tension and conflict.

"Conduct and recommend such education programs as in its judgment will increase good will among inhabitants of the city."

There are several different ways of interpreting this ordinance. Obviously, if a commission in charged with alleviating tension and group conflict, it can do so by attempting to strengthen the status quo; or it can attempt to remedy the unfair situation which has incited the demonstrations.

In one city, the Human Relations Commission worked diligently on behalf of open occupancy in housing. Negroes began to move into hitherto all-white areas. Mobs formed, riots broke out, and ugly violence spread through the streets. The Mayor promptly fired the Human Relations chief.

In another city, when the commission was formed, it conceived it as its responsibility to act as a complaint bureau, and urged citizens who suffered from discrimination to get in touch with the commission. But a commission must aggressively attempt to eliminate discrimination *whether or not there are any complaints.*

ROLE OF THE POLICE

The police represent an important factor in race relations. A policeman's lot is not a happy one. When he is arrogant and too free with his club or gun he is as often motivated by fear as by prejudice. Moreover, he is not responsible for the conditions which exist in our cities. In our effort to deal with the problem of police and minority groups, it suddenly becomes fashionable to clamor for civilian review boards or for courses in human relations for policemen. Both techniques can help, but they are not the total answer. I am always fearful that when a community goes through a bitter struggle to establish a civilian review board, it may neglect the many other channels which need to be pursued in raising the level of relationships between police and members of minority groups.

For example, the policeman's superior should be asked to emphasize constantly the need for common courtesy in dealing with all elements of the public. The basic attitude of the superiors on racial matters is soon conveyed to members of the force. In addition, we must never overlook the constant effort to attract well qualified and well educated individuals, particularly from minority groups, to the police force. To do this we must also insist on a decent pay schedule.

Another extremely important factor in race relations, and especially the problem of violence, is the treatment given to tension situations by the daily press, television, and radio. The amount of space and time devoted by them to civil rights problems has been tremendous. The mass media have helped create a salubrious climate much more hospitable to progress than at any time in the nation's history. Who can doubt that the vivid television coverage of the brutalities inflicted on peaceful marchers or the use of police dogs did much to assure passage of historic civil rights legislation.

Yet, as we probe deeper into community mores, as we learn that tokenism and symbolism must be replaced by meaningful progress, we realize that the mass media, like every other aspect of community life, must re-examine its values. Objectivity in reporting the news is good. But what is news and how much emphasis it should receive becomes a matter of subjective judgment.

Today, some of our urban complexes have become powder kegs. In race relations the spark for igniting an explosion can be provided sometimes by the too faithful reporting of inflammatory statements, allegations, attacks, or distortions of facts, made by irresponsible individuals. The view points of representatives of the far fringe must be placed in perspective, otherwise they are built up into monsters, and held up as representatives of large sectors of opinion.

In this regard, the question has been raised as to whether it is wise to discuss the potential of a "long hot summer." There are some who fear that if we talk about it too much, it will become a self-fulfilling prophecy. Unfortunately, any violence that may erupt will come about not because of talk, but because the basic conditions which precipitated riots last summer still obtain in most communities. As long as they continue to exist, the threat of violence will continue. Giving full public exposure to this threat is more likely to result in constructive action than to precipitate riots in the streets. And the only way meaningful progress can be made is by total community mobilization.

NEW ROCHELLE EXPERIMENT

We have been experimenting in New Rochelle with a program designed to do just that. What we have done is to invite to a meeting the leadership of a representative cross section of the entire community. At the meeting they were challenged to work out not only a blueprint for action, but also a timetable as to how fast this blueprint could be implemented. The challenge was accepted.

Four seminars were established, each designed to develop a program in a specific area of interest. These seminars fall into familiar categories: *education, housing, employment,* and *community education.* The last deals with building a climate in the general community hospitable to our goals and inhospitable to bias.

The importance of what we are trying to

do is founded on the fact that a cross-section of citizens are thinking together about the problems of discrimination and are designing a program to eliminate them. We are sitting around a table not for the purpose of hearing special pleas from the Negro community. Nor are we meeting at a time of crisis for the purpose of making concessions in an effort to eliminate the threat of a picket line or violence. But rather we are trying to get the total community leadership involved in the problems of human rights so we might consider them together. For they are, and should be, everybody's problems.

The very process itself is improving communication and is setting the framework for better understanding. It represents community education in its truest sense. Furthermore, when the program is hammered out it will have been done in democratic fashion. It will not be a program that has been given to the community by some individual, no matter how wise and well-motivated he might be, but one swelling up from the grass roots.

I have great hopes this is the type of program which may finally provide a key to unlock the doors in the walls of our ghettos—to carry us beyond the threat of violence and anarchy, to meet the challenges we face not only during the long hot summers but even more in the depth of the long cold winters.

EQUAL JUSTICE FOR MANAGEMENT AND LABOR

Mr. ZION. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. QUILLEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. QUILLEN. Mr. Speaker, last Thursday the gentleman from South Carolina [Mr. MCMILLAN] commented here in the House on the outstanding record of the J. P. Stevens Co., one of the leading companies in our textile industry.

The J. P. Stevens Co. has a plant in my hometown of Kingsport, Tenn., and I cannot speak too highly of the management and personnel there. They do a terrific job, and are a great asset to the entire community and the area.

We have a grave obligation to the private enterprise system that has sustained this Nation and brought it to the highest level of prosperity that the world has known, and we can and must insist on equal treatment for those at all levels of industry.

I wish to associate myself with the remarks of my colleague from South Carolina on August 10. These remarks appear on page 22271, and I hope that my colleagues will read them in their entirety if they have not already done so.

I am pleased that he also inserted in the RECORD the testimony of Mr. Robert T. Stevens so that here on the floor of the House both sides of the case would be heard.

I suggest that we now concern ourselves with legislation that will guarantee "equal justice under law" for management and labor.

THE HOMEBUILDING INDUSTRY

The SPEAKER pro tempore (Mr. GONZALEZ). Under a previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, the homebuilding industry has always been one of the major factors in the health of the Nation's economy, yet we constantly gamble with the health of homebuilding by neglecting careful fiscal planning.

It was because of his concern with the constant danger to this key industry that my distinguished colleague from New York [Mr. OTTINGER] has introduced a joint resolution to shield it from the dangers of what he called the cycle of boom and bust.

Today, I am introducing a similar resolution, and on this occasion I wish to take the opportunity to commend my able and dedicated colleague for his enlightened activities in the area of homeownership, and the needs of the homebuilding industry.

I wish to recall to the Members of this House the critical times of last year, when mortgage loan interest rates reached their highest level in 40 years, and housing starts for the year dropped by 909,000 units.

We have had similar recessions in which homebuilding tumbled dangerously near the pit of depression three times since 1950. In each case, the Federal Reserve Board had tightened credit suddenly, to ward off inflation, and the housing industry was all but strangled.

In each instance, the Reserve Board had to resort to the use of monetary policy to halt an inflationary spiral because Federal executive agencies had neglected to make calculated use of fiscal policy to keep the economy balanced.

The sudden shock of monetary restraint fell on the entire economy of course but, as always in the past, it had a tendency to hit the homebuilding industry hardest.

This administration's approach to fiscal policy has been destructively one-sided. It has been eager to stimulate a lagging economy, but never prompt to eliminate excess demand which has put pressures on productive capacity and prices.

It has neglected to close tax loopholes, and shied away from reducing expenditures. At the same time, it has insisted on advancing deferrable public works, and such costly projects as the supersonic transport which could well have been delayed until a time of greater stability.

It has been clearly demonstrated that decisions made with no long-range fiscal planning by the Bureau of the Budget, the Treasury, the Department of Housing and Urban Development, or the Federal Home Loan Bank Board can give us either end of a boom or bust cycle in homebuilding.

The volume can be turned up to maximum, or stifled to the point where savings banks and savings and loan associations feel the pinch, where thousands of construction workers are laid off, and would-be homeowners and residential builders cannot get credit.

You recall that when the Reserve Board increased the rediscount rate in 1966, it affected many kinds of consumer purchasing which depend upon credit. It made it difficult for commerce and industry to find financing for expanding plants and operations, and it even affected the Federal Government's ability to finance increased military and domestic programs.

But the heaviest impact fell on homebuilding and related industries. It is obvious that if Congress does not now take legislative action to ease these impacts on homebuilding, we can expect more sudden collapses like last year's.

The joint resolution which I have introduced today would provide such necessary legislative action.

It provides "that the program of the President as expressed in his annual message to the Congress shall include statements and recommendations concerning a residential construction goal. In furtherance of the realization of this goal the President shall transmit to the Senate and the House of Representatives, after the beginning of each session of the Congress, but not later than January 20, a report which shall include the following: First, a statement indicating the minimum number of housing units which should be started during the then calendar year, or such year and the next following calendar year, in order to be consistent with the program of the President; second, an indication of the manner in which fiscal and monetary policies will be administered by the executive agencies to achieve the number of housing units specified under clause (1); and third, any recommendations for legislative action that the President determines is necessary or desirable in order that the construction of such specified number of housing units may be started."

Such legislation must be enacted promptly, if we are to be certain that our Nation's public and private resources are allocated in such a way as to maintain stability in the housing industry, and to meet the Nation's housing needs.

FUTURE OWNERSHIP AND OPERATION OF THE PANAMA CANAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 15 minutes.

Mr. DUNCAN. Mr. Speaker, I am sure that most Members of the House of Representatives are aware of the proposed treaty between the United States and the Republic of Panama. The proposed treaty, arrived at after more than 2 years of negotiations between officials of the United States and Panama renounces all previous treaties between the two countries. Under the terms of the treaty the United States surrenders all rights, sovereignty, and property in the Panama Canal Zone. All property not needed for the operation of the canal will be given outright to the Republic of Panama and the remainder becomes the sole and absolute property of an independent body to do with as they so desire, including sale. In 1999 all the property still owned by the independent body, known as the administration becomes the sole property of the Republic of Panama.

The more than 4,000 employees of the canal will be working for the administration under the laws and the author-

ity of Panama and the joint administration, and will have no protection of the United States.

We must bear in mind that we did not lease the Canal Zone. Besides an original payment of $10 million to Panama for the present zone, the United States purchased all the ground in the area from individual owners. Among other lands and facilities that would be turned over to Panama docks and piers, buildings, and other properties.

It has been the consensus of opinion of the American people and most Members of Congress that the House has no part in the ratification of this agreement.

As previously stated by me on the floor of the House of Representatives on July 27, I am well aware of the fact that the House of Representatives has no part in the ratification of treaties; however, Mr. Speaker, this proposed agreement is much more than just a treaty. It is a treaty coupled with the transfer of property belonging to the United States.

Also on July 27 I called to the attention of the House article IV, section 3, clause 2 of the Constitution of the United States which clearly shows that only the Congress shall have the power to dispose of property belonging to the United States.

In pursuance of this question I requested a legal opinion from the law division of the Library of Congress. I have today received such an opinion which is as follows:

TREATY DISPOSITION OF PUBLIC LANDS

This report will examine the question of the type of congressional action necessary to deal with a treaty which provides, *inter alia*, for the disposition of United States property.

The problem is that, since Art. IV, Sec. 3, Cl. 2 of the Constitution gives to Congress the power to dispose of and to regulate the use of United States property, it could thus be argued that the normal procedure, set out in Art. II, Sec. 2, Cl. 2, giving the President and Senate disposition of treaties, might have to give way and permit the House of Representatives a role in the treaty making process.

We are not aware that this argument has even been made historically. Rather the problem, which has arisen a number of times in regard to treaties providing for the appropriation of money, has been resolved differently.

The matter first arose upon the ratification of the Jay Treaty in 1796, which treaty contained provisions for an appropriation of money. Butler, Treaty Making Powers of the United States, (1902), pp. 421–430. In brief, the President and Alexander Hamilton, Secretary of the Treasury, took the position that the treaty having been ratified, it was the law of the land and the taking of the money from the Treasury was a purely technical exercise, even though they conceded it might well require an act of Congress; they saw it as incumbent upon the House of Representatives and the Senate to vote out an appropriation bill.

The House pointed to Art. 1, Sec. 9, Cl. 7 of the Constitution: "No money shall be drawn from the Treasury, but in consequence of appropriation made by law. . . ." The argument was made that the act of appropriation was not mandatory or incumbent but represented a free choice on the part of the House. In the end, the House narrowly approved a bill appropriating the money but at the same time adopted the so-called Blount Resolution, which read:

"*Resolved*, That, it being declared by the second section of the second article of the Constitution, 'that the President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senate present concur,' the House of Representatives do not claim any agency in making treaties; but that when a treaty stipulates regulations on any of the subjects submitted by the Constitution to the power of Congress, it must depend upon its execution, as to such stipulations, on a law or laws to be passed by Congress. And it is the constitutional right and duty of the House of Representatives, in all such cases, to deliberate on the expediency or inexpediency of carrying such treaty into effect, and to determine and act thereon, as, in their judgment, may be most conducive to the public good." V Annals of Congress, 771-72.

A study at the turn of this Century disclosed that in all such instances of required appropriations, Presidents have sought them from the House and the Senate and that in one instance, the Mexican Commercial Treaty of 1883, the House refused to appropriate the money. Tucker, op. cit., pp. 212–237. As a Member of the Supreme Court once said:

"As well it might be contended that an ordinary act of Congress, without the signature of the President, was a law, as that the treaty which engages to pay a sum of money is in itself a law. *Turner* v. *American Baptist Missionary Union*, 24 Fed. Cas. 344, 345–46 (cc. Mich. 1892).

To put the matter into perspective, it is well to note that Art. VI, Cl. 2 makes the Constitution, all laws "which shall be made in pursuance" of the Constitution, and "all Treaties made, or which shall be made, under the authority of the United States," the supreme law of the land. The provision places upon all judges of the United States and of the States the duty to uphold treaties as well as the Constitution and laws of the United States and it means that a treaty must "be regarded in courts of justice as equivalent to an act of legislature, *whenever it operates of itself without the aid of any legislative provision.*" *Foster* v. *Neilson*, 2 Pet. (27 U.S. 253, 314 (1829) (emphasis supplied)). A treaty has the same status as a Federal statute, but no higher status. *Whitney* v. *Robertson*, 124 U.S. 190, 194 (1888). Thus, it has been held, in the event of a conflict between a statute and a treaty, the one later in time will govern. *Cook* v. *United States*, 288 U.S. 102 (1933); *The Cherokee Tobacco*, 11 Wall. (78 U.S.) 616 (1871); *United States* v. *Lee Yen Tai*, 185 U.S. 213 (1902); *Head Money Cases*, 112 U.S. 580 (1884).

Since a statute and treaty have the same status under the Constitution, it follows that a treaty could be unconstitutional in the same respect a statute could be. *The Cherokee Tobacco*, *supra*, 620–21:

"It would be manifestly contrary to the objectives of those who created the Constitution, as well as those who were responsible for the Bill of Rights—let alone alien to our entire constitutional history and tradition—to construe Article VI as permitting the United States to exercise power under an international agreement without observing constitutional prohibitions." *Reid* v. *Covert*, 354 U.S. 1, 17 (1957).

"The prohibitions of the Constitution," the Supreme Court said in 1957, "were designed to apply to all branches of the National Government and they cannot be nullified by the Executive or by the Executive and the Senate combined." *Reid* v. *Covert*, *supra*.

Inasmuch as the Constitution vests in Congress as a body the power to dispose of Federal property, it would appear thus that a treaty, ratified by the Senate alone, would be insufficient in and of itself to transfer United States property to any other person or nation. In other words, it is not a self-executing treaty, it does not operate "of itself without the aid of any legislative provision." *Foster* v. *Neilson*, *supra*, 314. As Cooley explained:

"The full treaty-making power is in the President and the Senate, but the House of Representatives has a restraining power upon it in that it may in its discretion at any time refuse to give assent to legislation necessary to give a treaty effect. Many treaties need no such legislation; but when monies are to be paid by the United States they can be appropriated by Congress alone; and in some other cases laws are needful. An unconstitutional or manifestly unwise treaty the House of Representatives may possibly refuse to aid; and this, when legislation is needful, would be equivalent to a refusal of the government, through one of its branches, to carry the treaty into effect." Cooley, General Principles of Constitutional Law (3d Ed., McLaughlin, 1898), p. 175.

There is contrary authority and it concerns the very constitutional provisions here considered, Art. IV, Sec. 3, Cl. 2. In *Holden* v. *Jay*, 17 Wall. (84 U.S.) 211, 247 (1872), the issue was title to land conveyed to an Indian nation by treaty. The Court noted that:

"It is insisted that the President and Senate, in concluding a treaty, could not lawfully covenent that a patent should issue to convey lands which belonged to the United States without the consent of Congress which cannot be admitted. On the contrary, there are many authorities where it is held that a treaty may convey to a grantee a good title to such lands without an act of Congress conferring it, and that Congress has no constitutional power to settle or interfere with rights under treaties, except in cases purely political."

At that time, a treaty with an Indian nation was of the same nature and character as a treaty with any other foreign country, but two points must be made about this case. First the quoted language was not necessary to the decision since the Court found a congressional act in effect recognizing the cession of the land. Second, none of the authorities cited is precisely on point.

It should also be noted that past administrations have recognized the validity of the argument that a treaty alone cannot convey land. One example should suffice and it too concerns Panama. The 1955 treaty with Panama provided for the conveyance of about $24 million worth of real property to Panama from holdings in the Zone or immediately outside the Zone. Article V of the Treaty provided for the conveyance "subject to the enactment of legislation by the Congress," and it was recognized by the representatives of the State Department at the hearing on the Treaty that legislation was needed to implement the transfer of the land and other property. Hearings before the Senate Foreign Relations Committee on the Panama Treaty, Exec. F., 84th Cong., 1st sess., pp. 60–61. And legislation was enacted. P. L. 85–223, 71 Stat. 509 (1957).

It would appear then that the following conclusions may be drawn.

A treaty providing for the disposition of United States property is subject only to Senate action in terms of ratification or not. It might be suggested that some sort of obligation lies upon the Senate to insist upon inclusion in the treaty of language to the effect that disposition of the property is subject to congressional action.

Whether such language is included or not, it would seem that the property could not be conveyed until congressional authorization, by action of the House and Senate, is obtained.

If no such language is included in the treaty, it probably could not be argued that the treaty is unconstitutional. Only when a law is administered or implemented so that the rights of an individual at some point

are denied and abridged may it be subject to legal assault and this tenet would appear to be as true of a treaty as of a statute. Only if it were actually sought to convey the property with only the treaty as authority would the constitutional issue arise.

Mr. Speaker, what do we get out of the treaty—absolutely nothing; and may I ask, why are we so interested?

Why do we even consider such a ridiculous proposition? The Panama Canal has been and is today an important target of international communism, and is a prime target of Castro. I understand that Castro now has a great number of agents operating inside Panama, and many leaders of the riots have been trained in Moscow.

Many of you will recall that the loudest Communist propaganda in recent years was centered on the demand that the United States permit the flying of the Panama flag in the Canal Zone.

The treaty does nothing but adds up to a relinquishment of American vital interests in Panama and the control of the canal. It is nothing but a giveaway of world rights and territory that will rank above other great giveaway programs in the history of our country.

On January 20, 1964, Hanson W. Baldwin, a leading writer in the United States, stated that senior officers of our Armed Forces believe the Panama Canal is of major strategic importance to the United States and they oppose any further relinquishing of control of the United States.

The American Legion magazine had this to say:

> The Panama Canal is our jugular vein, our lifeline; cut it and the United States dies. Wrest it from our control and in matters of seaborne commerce and naval defense the United States East and West coasts again become as they once were. Months instead of days apart. Block and our foreign commerce strangles.

Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. QUILLEN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. QUILLEN. Mr. Speaker, I am proud to join my good friend and colleague from Tennessee, Congressman JOHN DUNCAN, in his comments on the pending Panama Canal Treaty, and I commend JOHN for his courage in speaking out so forthrightly on this treaty and on the discovery he has made in respect to its ratification.

I wholeheartedly agree with him—we here in the House should have a voice in the decision as to whether or not the treaty should be accepted by the United States.

This treaty is a great step backward both economically and defensively for the United States. It will constitute a gouge of the U.S. taxpayers and a loss of prestige of monumental proportions.

We know that the Communists have long had their eyes on Panama, and if we reduce our territory there we must be prepared to face the great danger of the canal falling under Communist dominance. The Communists have long advocated putting the world's canals under international ownership and operation, and approval of this treaty will be a step in that direction.

We are responsible for establishing Panama as an independent country, and our trade with Panama and canal revenues have contributed the major portion of that country's economy.

How can we now agree to a treaty which threatens the continuity of operation of the canal? The canal is still a vital link in shipping supplies to Vietnam and an important world waterway. How dare we reduce our influence there and endanger free world shipping? Let us remember what has happened at the Suez.

Mr. Speaker, we cannot look with pride on the shameless sellout of U.S. taxpayers in the canal treaty negotiations, and we cannot permit this treaty to become effective.

I urge all my colleagues to fight this treaty and help preserve our Nation and our freedom.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. DUNCAN. I am glad to yield to my colleague from Missouri.

Mr. HALL. Mr. Speaker, I want to compliment my colleague and associate myself with the comments made by the distinguished gentleman from Tennessee. He has spent much time, both in consultation and in research, in establishing a concrete case for showing that the House of Representatives must adopt enabling legislation before the United States cedes all sovereignty of the Panama Canal Zone to the Republic of Panama. He has accomplished by keen concept of history and references to the U.S. Constitution that for which many have groped. I am happy he is a cosponsor of our Sense of Congress Concurrent Resolution.

The Constitution is quite explicit on the subject when it states in article IV, section 3, paragraph 2:

> The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular States.

Besides the constitutional authority there is ample precedent for House action on the proposed treaty. The language of the Blount resolution of 1796 with respect to the Jay treaty stated:

> The House of Representatives do not claim any agency in making treaties; but that when a treaty stipulates regulations on any of the subjects submitted by the Constitution to the power of Congress, it must depend upon its execution, as to such stipulations, on a law or laws to be passed by Congress. And it is the *constitutional right and duty* of the House of Representatives, in *all* such cases, to deliberate on the expediency or inexpediency of carrying such treaty into effect, and to determine and act thereon, as, in their judgment, may be most conducive to the public good.

Another patent precedent is the congressional action taken in regard to the execution and ratification of the 1955 treaty with the Republic of Panama that conveyed $24 million worth of real estate to the Panamanian Government. Here the Eisenhower administration realized that this land conveyance could not be constitutionally consummated until the House of Representatives passed the necessary enabling legislation. This legislation was passed and signed by the President on August 30, 1957.

Therefore, Mr. Speaker, the Constitution and the aforementioned precedents establish, beyond doubt, the course of action in regard to the currently proposed Panama Canal Zone Treaty; there must be House action and approval before the administration gives away the assets of the United States and of the American people.

MAJOR NATURAL DISASTER IN ALASKA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alaska [Mr. POLLOCK] is recognized for 5 minutes.

Mr. POLLOCK. Mr. Speaker, I regret to inform the House that another major natural disaster has struck the State of Alaska. Only 3 years ago the south-central coast of the 49th State was struck by a massive earthquake. Now as recovery from that disaster nears completion, Fairbanks, Alaska's second city, and other towns in interior Alaska have been inundated by floods.

Early this morning I was in contact with a ham radio operator in Fairbanks who had contacted the gentleman from Colorado [Mr. BROTZMAN]. This report first informed me of the biggest flood in Alaska's history, resulting from heavy rains. I have also been in contact with Fairbanks' Mayor Red Boucher over the only telephone line then still open. It is now closed. At the present time the waters are eight feet above flood stage. The building of the Fairbanks Daily News-Miner is under 6 feet of water and the airport has been closed for some time. Farther south the entire town of Nenana is covered with floodwaters. Its people were evacuated to the city of Fairbanks and now have to be evacuated from that city. There is now no land communication with the interior.

Governor Hickel, now in Fairbanks, has requested President Johnson to declare a major disaster. I have urged the President to comply with the Governor's request to insure the quickest possible Federal aid. Federal disaster officials are already on the scene or en route. And I am certain that, as in the past, the Government will lend the necessary helping hand to its citizens in vital need.

THE RICH, YOUNG RULER REVISITED

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. PEPPER. Mr. Speaker, on Sunday, July 23, my wife and I were privileged to hear a very outstanding address

from the pulpit of the First Baptist Church of Washington, by the Honorable Jimmye S. Hillman, executive director of National Advisory Commission on Food and Fiber. This is a penetrating survey of the problems which face us as a nation and as individuals and I heartily commend it to my colleagues and to my fellow countrymen.

Mr. Speaker, I insert Mr. Hillman's address at this point in the RECORD:

THE RICH, YOUNG RULER REVISITED

"Let the words of my mouth and the meditations of my heart be acceptable in Thy sight, Oh Lord, my strength, and my Redeemer!" (Psalm 19)

Several years back I was asked by one of our Presbyterian churches in Tucson to prepare a series of lectures on the church and economic life. Those lectures antedated the war on poverty. During that period of study I had an opportunity to rethink some of my experiences as a professional economist and a professing christian and to trace some of the developments in recent times with respect to religious and material affairs. Though I shall not be able to entirely recount those lectures in one brief service, I should like to make a few introductory remarks about ethics and economics after which I shall dwell the rest of the time on what is to me a much neglected aspect of spiritual life during the current concern with poverty, hunger and "have-not" legislation: that is, the problem of the rich, the "up-and-outer," and our spiritual and material dualism.

Lack of interest by many of us in social and economic issues may be because the church—as the church—has not been fighting them sufficiently in recent past. A great deal of thought was stirred up around these issues at the time of Luther and Calvin. There was almost complete inversion of thought at that time. Economic and social functions which had grown with the medieval church and were identified with its early version, were gradually and grudgingly transferred to the state churchmen as property owners sometimes resisted moves for economic freedom. Many believe the French revolution with its humanitarian liberalism was more responsible than Christianity for disappearance of serfdom. Later Adam Smith thought there was an unseen hand that would regulate economic affairs, if complete freedom of competition were allowed. It didn't work that way and is more fantasy than fact in the 20th century.

Jesus did not outline any economic system. In fact if he had, it may have been destroyed with Greece and Rome and taken Christianity with it. Yet he was an economic revolutionary and much power can be gained from fellowship with Him. With Christ came a shift from the literalistic interpretation of Judaism which in its strictness, had made it a rich man's religion. Two possible tests of economic systems may be: (1) which provides the better medium for voluntary exercise of Christian virtues? (2) Inasmuch as Christ died for all, men are brothers and are equally precious, and economic relationships between man and man in a system must be consistent with the spiritual relationships between man and God. However, wealth-possessions or lack of them is not enough in itself to destroy fellowship. Ultimately it is stewardship that counts.

Christianity contributes to economics, first, higher ideals, then greater power through the human agent to attain these ideals. It was not economists who liberated slaves or passed factory acts but reckless and ignorant Christians. Unless we alleviate ills, the ignorant, the uncouth, and the heathen will move society. Thought and action from Amos through the Russian revolt to the war on poverty demonstrate a yearning to have ethics dominate economics. Ethics must be in constant examination to meet changing situations.

As Christians we have dwelt too long on impossibilities in the Christs—material matrix—for example, the camel problem. the needles' eyes! That we heard read in today's Gospel text. We have made a monster out of the rich young ruler on a questionable basis—his possession of material wealth. Spiritually blinded to the fact that it was *all* of man which Christ came to save, we have relegated this parable, either to a problem in engineering and physics—a camel crevice, if you please—or to a problem of social mechanics which usually winds up in the blase attitude of "the poor you have with you always." Furthermore, in the past we dwelt so long on the rich man's lack of charity until the poor were made into some sort of synthetic gods. (I might say we are in more danger of this today than ever!) This gave rise to the belief that monastic and other worldly sects were the only true way to express Christianity in daily life. Unfortunately, church and business experiences from the seventeenth through the early twentieth century justified this philosophy.

According to this interpretation, i.e., God had supposedly taken away His grace and it was through penance that it could be regained. The rich were supposedly blessed of God. The chasm between rich and poor provided the basis for too strong a dose of the social gospel during the late 19th and early 20th centuries: the same chasm, but particularly the poor masses, also provided the basis for the overdraught of evangelists during that same period. That is to say, it was preached if only men would turn from their wicked ways, matters spiritual as well as economic would perk up. But, alas! There seems now to be a slight break in the theological and economic tradition which at one time damned the rich for their de facto richness, and which damned the poor because they weren't "elected" spiritually.

During the past half-century the American public—Christians included—have oscillated between social and personal interpretations of the rich young ruler's dilemma. Taking the total picture, during one period we were vitally concerned with solving the problem of abject poverty in a nation on the rocks but capable of being rich. Such was the case during the great depression. Later we were flooded with propaganda about American abundance, and because of a misinterpretation of a book (Galbraith's Affluent Society), we, the rich young rulers, slid into two decades of passive inaction. Suddenly, now, we discover that there are 20 to 30 million poor Americans in the midst of our highways and byways that no one knew about. In the soaring sixties we started soaring so fast that entire pockets of poverty went unnoticed, and charity went undispensed. Now, because of a rash of books and other propaganda on poverty we are overreacting in the wrong way.

On a personal basis, the same thing happens—we vacillate in both word and deed. Not so long ago, in a conversation where I was fulminating against the treatment of the poor, my wife interrupted, and called my attention to the fact that I was spending a great deal of time and effort, *not* with solving problems of a poverty element, but with an industry laden with surpluses and surplus capacity—United States agriculture. Also, she had observed that only recently I had been concerned with the spiritual welfare of the "up-and-outer." So, we oscillate between condemnation of the rich for being rich and inactive, and disdain for the poor for being poor and not having initiative. I suspect that there exists in all of us too much envy toward those who have wealth, and contempt regarding those who have nothing. Herein lies one of our dualities.

Reinhold Niebuhr has observed that poverty has its materialism the same as does wealth. By this he means that we are all subject to the real sin that the rich young ruler saw in himself when he bared his soul to reflection in the Jesus-mirror. That sin is taking too much pride in being what we are and in wanting to remain like we are—proud to such an extent that we don't want to change; proud in our riches, our knowledge and our power; proud and snobbish even in our poverty because we take pleasure in *not* being like a Ford or *not* being like a Rockefeller; proud of our salvation—so much so that we indulge in the security that only the "not like they" attitude can give.

Yes, the Jesus-mirror strikes discord in the hearts of those who live in the false world where the spiritual is separated from the material. We become disturbed when we contemplate America's abundance and when we read about the rich young ruler, because our heritage says spiritual values must come first. By spiritual we mean a certain order of life which God intends. Opposite this is placed the world "material," which implies a preoccupation with things. To Christians this would be a false antithesis, because we start with the Biblical assumption that "the earth is the Lord's and the fullness thereof" (Psalm 24:1). All life, all things, have spiritual significance.

The Lord God has for all time given man the mandate to be a good neighbor and to be a brother, both of which tend to get lost and to become indistinct when we get beyond our local situation, our own backyard. But in stewardship we can find a specific responsibility and all our resources can be committed to serve people everywhere, whether through the church poor fund or through government freedom from hunger.

The "rub" comes in the fact that our education and experience as Christians and Americans have not trained us to live humbly in the assumption that all life and things are spiritual. The false separation has obscured the Christian message. Jesus taught man to pray "our Father. . . ." The Apostle Paul considered the family of man as the human body with all its component parts mutually interdependent. When our Lord answered the simple rudimentary questions of all life, he insisted that love of God and neighbor are complementary. The material and spiritual must be considered as inseparable.

Recently I have had several experiences with students which have deepened my own appreciation of the falsity in allying evil with the material and virtue with poverty. Here is the essence of several of these experiences: one student who is fabulously wealthy came to me in the most humble attitude and sought advice about how to apply himself and his resources to the problems of life he is likely to face. Another is the victim of past prejudices (such as are a lot of us) and wanted to know how he could possibly accept his rich material inheritance and rectify past errors: atone for the sins of his ancestors. Still, a third student, not particularly wealthy, came into my office bristling about the stupid Latin Americans who won't let United States enterprise have license to solve their problems. During the course of our hour and a half conversation, I tried to point out the moral dilemma in which the United States and the 20th century corporation find themselves with respect to the national state and international boundaries. To which this latter-day rich young ruler in effect said, "They'll have to accept our way of life, our way of doing business. We've solved our problems in the United States: everyone in the world envies us, and we don't have to change." I ask you which of these three is the phony?

Pope John XXIII, through his encyclical *Mater et Magistra*, probably did more than any other person during the last half century to state the total Christian position succinctly about social and economic life

and responsibilities. The National Council of Churches through the national study conference on the church and economic life has also done a tremendous job in this respect. Both of these should be studied, and the Christian's position invoked.

Let us state again, the material, in itself, cannot be condemned. Of late, a universal concern of the church—Protestant and Roman Catholic—has been that of an expanding economy, technological affairs and economic abundance. These provide unprecedented opportunities for Christian living and sharing. Abundance and wealth are not unmixed blessings, however. They provide the bases for temptations to divert us from Christian experience and a spiritual interpretation of life. Preoccupation with indulgencies and power which come from material things often wind up in these becoming ends in themselves. They mar and distort our vision of ourselves in the Jesus-Mirror. Jean Paul Getty in his recent BBC interview, "The Solitary Billionaire," said that wealth can't buy happiness, good health, or even a good time. "Some of the best times I ever had didn't cost me any money," he said.

What is the church and what are we doing about our attitude and our condition? I don't get too excited about religious questionnaires, but the recent results of a questionnaire published by a leading state paper leaves me a bit agog! It seems that 330 replies were received from 660 questionnaires which were mailed. Among other questions on religion, economics and the social order was the following, "Do you believe the church should provide food or assistance to persons in economic distress?" Over half—166 people—replied that this should be a minor function of the church. This, and other answers, verified my fear that there is still abroad in this country a tendency to separate the spiritual from the material. In short, the church's job is taking care of Sunday and Holy Days: the material would be left to the world of business or a paternalistic state.

This absolute division of man in his social order—this separation of ethics from economics—derives from things we won't have time for this morning. Suffice it to say that two forces are hammering on our dualism. First, the preponderance of the masses is subjecting wealth, property, profit, production, interest, in short, all the divinities of capitalism to a reconsideration of its values. But, on the other side, ethics as a force, is being commemorated as never before in bringing man to himself in the realm of social justice. The church—particularly protestantism—will have to reformulate its appeal so that it will provide a message that a disintegrated world will accept. The precondition for any adjustment is that christians themselves—particularly protestantism—become aware of the convulsive nature of our civilization and the seriousness of the situation.

In conclusion, let us reformulate our hypothesis about the rich young ruler. Let us stop dwelling on needles' eye religion: let us resist dividing man and God between spirtual and material absolutes: let us cease condemning material wealth and rich people for being who they are, because these, too, are of God's kingdom: let us quit this perverted christianity which preaches that involuntary poverty is God's will: let us stop this sensuous indulgence which we derive from being a "down and outer;" in short, let us look in the Jesus-mirror and catch a glimpse of our real image, our real nature. The rise of sin of this nature is "I like what I see—I like What I am."

What shall be our reaction to that image—as a person and as a church—for salvation and for society. Shall we say, "Don't bother me, Jesus Christ, I'm a one-dimensional man, in a one-dimensional social order?" I pray that we shan't.

THE SOCIAL SECURITY AMENDMENTS OF 1967

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CAREY] 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 Alabama?

There was no objection.

Mr. CAREY. Mr. Speaker, today I appeared before the Committee on Rules to request a variation of the usual closed rule on the bill scheduled for debate tomorrow, the Social Security and Public Assistance Amendments of 1967. A closed rule was granted. I shall try again next year before the Ways and Means Committee and the Rules Committee if permitted to do so. In the meantime, in order that my colleagues will have foreknowledge of my purpose in this action, I shall insert my statement in the RECORD at this point:

Mr. Chairman, I appear to request this distinguished committee to grant a modified closed (or open) rule on H.R. 12080.

The rule I seek would make it in order to offer amendments only to title II, the public assistance section of the bill. I recognize that the other provisions of the bill have been brought forth by the distinguished Committee on Ways and Means in delicate actuarial balance. They do not lend themselves to tinkering, lest the whole complicated mechanism be unhinged.

However, in my opinion, this bill moves in two separable directions.

In the social security title of the bill, it aids our senior citizens into decent retirement and dignity on a wage-related basis.

But I see no reason why this title, immune from amendments in the House should fly protective cover for a program which spawns dependency and each year goes further and further in reducing human dignity at an ever-increasing cost.

This is not intended as criticism of the great Committee on Ways and Means which has put the uncommon genius of its members to work and suggested some laudable revisions of this program in the bill.

Looking at the modesty of these revisions, however, and the magnitude of this program with its propensity for burgeoning expansion, I suggest that it is now in order for the common genius of all Members of this House to give this program the treatment it needs in the light of our own experience.

I speak from my knowledge as a resident of our most heavily taxed city with the country's biggest welfare program. I have also had the benefit of oversight in looking at our public assistance in many regions of the country as a member of the Committee on Education and Labor in its conduct of the poverty program. Our committee is the minor leaguer with a $1.6 billion authorization which is expected to lift 34 million Americans out of poverty. The major leaguer is the $4.1 billion authorization in this bill which is not only locking people into slums and dependency but is now on the way to a new foreseeable gravely higher cost.

I didn't come here to talk about the poverty program rule, but on precedent that bill will hover over the House like a stray duck at dawn to be shot at by both barrels for four or five hours to say nothing of its fate in the Appropriations Committee.

But if it is right for that bill to be open for amendment (and I support substantial revisions in the program), why not address the pending bill in the same manner?

If this bill is to move through the House in its present form, then I believe that the membership should be put on notice in several areas.

First as to cost, since Federal increased expenditures are on all of our minds let us look at the record of cost of the program over the past ten years of unparalleled prosperity.

SHIFTED BURDEN—NOT SAVINGS

Grants to States for public assistance appropriation

1957	1,767,177,000
1958	1,957,960,000
1960	2,037,500,000
1961	2,177,000,000
1962	2,401,200,000
1963	2,738,000,000
1964	2,884,600,000
1965	3,187,900,000
1966	3,603,000,000
1967	4,170,000,000
1968 request	4,240,000,000

House bill is for 4,124,300,000.

The table shows that from a base of $1.7 billion, we have escalated to a record $4.1 billion and a new peak is in sight.

I am aware that its proponents suggest that the committee bill will produce some savings in the years ahead. I must respectfully disagree. If there is any savings to the Federal Government it will only result from transfer of obligations which have been initiated and advocated by the Federal Government to States and localities. The State and City of New York, as I suspect is the case in many other jurisdictions, are in no position to bear these savings at our expense. As an example, let me cite the new committee bill limitation on aid to dependent children.

The committee bill imposes a ceiling on Federal payments for such aid to States at a figure of four percent of the current State population. This means that if a number of children are conceived in other States and are born in New York or are born in any other State and come to New York without fathers, to the extent that they are in excess of the new Federal limitations, the New York taxpayer must bear the extra burden of their maintenance. This is an incredible way to save Federal funds by shifting the burden to the States. It is Federal child abandonment—not a true saving.

HIGHER COSTS AHEAD

Even with this type of revision this program is not going to cost less in my opinion, for the following reasons:

1. This administration itself foresees additional costs—

(a) Its 1968 request was for $4,240,000,000. The bill calls for $4,124,300,000. But in H.R. 10198 HEW appropriation hearings,* the Assistant Director of family services forecasts a budget request of $4,500,000,000.

2. The indicators in the counties are for more welfare "clients" at increased costs. I quote from the New York Times of last Friday, August 11th, article entitled: "Welfare on Rise in Westchester."

"WELFARE ON RISE IN WESTCHESTER—18 PER CENT INCREASE IN 1967 CALLED LARGEST SINCE DEPRESSION

(By Ralph Blumenthal)

"Westchester's welfare rolls have grown faster in the first half of this year than at any time since the Depression.

"The 18.8 per cent rise since December in the number of public assistance cases has even outstripped the growth rate of New York City's ballooning welfare program.

"The sharp increases which came to light in recent letters from the Welfare Commissioner to the County Executive, has officials of this county, which is the richest in the nation by some economic yardsticks, puzzled and concerned.

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* See page 923, part 3 of hearings, H.R. 10198.

"They have been able to explain the situation only in terms of general population shifts and the increased availability and publicity of public assistance programs. They do not believe the statistics show any kind of recession here.

282 NEW CASES A MONTH

" 'While the well-to-do are moving into the suburbs, the poor are moving into the suburbs too,' said Welfare Commissioner Louis P. Kurtis. And, with the more intensive social services offered today, the poor stand a better chance of being identified and aided, he added.

"From the end of December 1966, to June of this year, 1,689 cases were added to the Westchester welfare rolls—an average of 282 new cases a month—swelling the number of public assistance cases to 10,686. This represents about 24,000 individuals in the county of 875,000 residents.

"By comparison, New York City's welfare population grew by 12.7 percent in the same period, to about 660,000 individuals.

"Westchester's 18.8 percent growth in welfare cases during the six-month period represents a trebling of the county's average rate for the last three years. In 1964, 1965, and 1966 the yearly growth averaged 12.5 percent. The 18.8 percent growth rate is the greatest since the Depression, Commissioner Kurtis said.

"At the current rate, officials predict a growth in the welfare population of 37 percent by the end of the year.

INFLUX IS CITED

"The upturn was first identified statistically by Commissioner Kurtis in a letter to County Executive Edwin G. Michaelian on July 18. After a survey of welfare supervisors in the department's nine district offices, Mr. Kurtis wrote to Mr. Michaelian last Tuesday:

" 'Their consensus is that in general the immediate reasons for the applications are combinations of the same social, economic and health factors that have forced people on to the welfare rolls in years past, except that there are more of them applying now than previously.'

"In the letter, Commissioner Kurtis also told the County Executive that the movement in to the county 'of increasing numbers of low-income Negro and Spanish families' and the efforts by antipoverty workers to get the poor to apply for public assistance benefits contributed to the increase.

"Noting that $36,737,000 had been appropriated by the county this year, Mr. Kurtis said today in an interview that he would now need close to $40 million. Last year, the county appropriated $28.7 million.

"Two-thirds of the welfare costs are later reimbursed by the State and Federal Governments.

CASE PROFILE GIVEN

"Figures compiled by Mr. Kurtis, who has been Commissioner since 1960, indicated that 90.2 percent of the welfare applicants had lived in Westchester for more than a year; that at least 54.1 percent of the recipients were Negroes (according to a 1966 study that is still generally accurate, he said) and that the applicants' major reason for seeking aid was health problems, followed by unemployment and a deserting or absent father.

"The administration of the welfare program—the largest of which is aid to dependent children, which accounts for more than half of all welfare recipients—has been complicated by a shortage of 25 caseworkers and 16 assistant supervisors in a staff of about 175.

"The average effective family-buying income in Westchester was $13,440, according to a 1965 study. The study also reported that 43.3 per cent of the households were in the $10,000 and over annual income bracket."

It might be a plausible explanation to say that neighboring New York City is exporting its cases to wealthy Westchester, but such is not the case.

New York City had an increase of over 150,000 welfare cases of its own in the last year and a half and the city's welfare payments, local, State and Federal, are now in excess of $900,000,000, or one fourth the national program.

Yet his bill as written would do very little to decrease the problems, or the cost to New York City or any other major city. In fact, it will increase the lost to the New York taxpayer.

3. Parallel programs in the field such as antipoverty are adding people and costs not removing them at this time. Hopefully, the long-term effect of youth, job and Headstart programs will have this effect.

However, the immediate impact of OEO programs has been to organize the adult community for a better scale of benefits and to augment the rolls with additional eligible "clients" for full and supplemental benefits.

Last week I encountered a situation in which a neighborhood group has retained a lawyer at $50 a day to voice their complaints and requests to welfare officials to secure improved benefits.

I have also witnessed the formation in some localities of welfare leagues comprised of beneficiaries who are banding together for common action. I am informed that requests from these leagues are given priority by case workers in welfare departments to avoid embarrassing conflicts.

Finally, I can report that organized labor is undertaking more formal action in the poverty-welfare field. A number of poverty workers are now wearing union buttons signifying their membership in a large well-known international union of Government workers. I am informed that the poverty workers dues are $48 per year.

This is the same labor organization which has successfully organized a number of large city welfare departments.

I am a firm believer in collective bargaining and I respect the rights of all men to organize for better labor standards. But, I think it is predictable that, when the poverty "clients" and the case workers are members of the same labor organization, costs will rise before they fall.

WHO SUPPORTS THE PRESENT PROGRAM?

Is this program so endeared to professionals and poor alike that it would cause chaos and dissensions to overhaul it?

I would disagree.

The administrator of the largest welfare office in the world, Commissioner Mitchell Ginsberg, has said that the present system "will not work and must be drastically revised."

The comments about the program I have heard from the poor themselves range from resentment to despair.

If the program has so few friends and so many enemies, what have we to lose by performing major surgery.

What the committee has done is to begin this surgery with a delicate probe mainly in the area of community work, which is now in the OEO program. What this swelling carcass needs is a colostomy to straighten out its intestines.

Why open the rule? For major surgery.

The fact that this legislation affects other legislation within the Jurisdiction of other committees is, in my opinion, a compelling reason why title II part I presents issues which should be decided by the whole house. As I have said, the bill before you has a provision establishing a community work and training program which closely resembles and even copies the work experience programs of title V of the Economic Opportunity Act. Furthermore, this bill provides a general earnings exemption which has the effect of superseding provisions in the Economic Opportunity Act, at, I might add, possible increased costs. This bill also provides day care and other vocational services which are currently provided under the Economic Opportunity Act.

SOME SUGGESTED AMENDMENTS

As an example of how we might amend this program at this time, given leave to do so by the Committee on Rules, I would suggest a provision for compulsory basic literacy training under sec. 201, b, (i). This is nowhere specifically called for in this bill, and without this most essential of all skills, such things as vocational training and special job development become hopeless efforts. A man may be trained to operate a foot press or a lather, but without the ability to read and write basic English, he is a plant hazard who cannot even read the labor regulations and safety laws. Such literacy training is being done successfully in Chicago, and this experience could be studied for a starting point.

Another amendment which I would offer to strengthen this program would be one calling for the creation of a new commission composed of leaders of industry, labor, education, religion and others in the civic and social professional field. The commission would be directed to make a new top to bottom review of public assistance and related activities with the hope of coordinating the administration of the now separate activities carried on by the Federal Government in this field.

I am aware that the committee legislated such a commission in 1964 which reported its recommendations in 1966. However, with the exception of child welfare improvements and day care, the committee accepted virtually none of the panel's recommendations. Now, we are without current guidance in this field so that I would suggest a new commission from outside the welfare field as well as within the professional ranks.

AN END TO SLUM RENTAL SUBSIDIES

Under the present programs, over $1 billion in Federal funds to the needy goes for rentals. This is not for rent supplement; this is for one hundred percent slum rent subsidy. Welfare rentals are paid to slum landlords for unliveable, stench-filled, rat-infested, overcrowded quarters in unsafe hovels, which actually command premium rentals.

These rental monies which come from public assistance funds, often have the effect of perpetuating the wretched conditions they are designed to alleviate. Slum landlords are generally reluctant to spend money on improvements of any sort as long as there is someone subsidized and forced to live in the present dwellings.

It would be a major objective of the commission I propose to study this problem of housing and the use of Federal funds in hope of finding some way to better utilize this multibillion dollar cash flow to provide more adequate housing. It would study even the possibility of future tenant ownership of housing now supplied partially or in whole by Federal funds with the hope that pride in proprietorship would lead to self-improvement in these areas and eventually to a decrease in the number of welfare "clients".

Another amendment which I would propose would be one to place family planning programs under a State health agency. This important program should be placed on a doctor-patient basis rather than on a social worker-welfare recipient basis. This would mitigate the possibility of coercion in family planning and make it a more truly effective program. I believe in sensible family planning, but I also believe that the hand that "knocks the cradle" should not hold the rent check.

Frankly, one valuable recommendation made by the advisory council of 1966 did not see the light of day in this bill. It would

have set a national standard, a Federal floor of minimum benefits, or at least full cost assistance to apply in every State. This would tend to reduce the numbers of rural poor who come to the turmoil of the central cities for bare subsistence and become even more hopeless urban poor. They come and they will continue to come as long as the range of welfare benefits is as wide as it is. In March, one State paid as little as $8.70 per child while another paid six times as much or $52.28.

They come to New York or California and will continue to come to flood the ghettos as long as the aged in one State receive $40.92 and in another as high as $123.16.

Should an American child or aged person be considered as worth less in dignity in one State than in another under the same flag?

BIGGER GHETTOS OR BETTER LIVING

On the record of the past 30 years, I submit that this program has done its share to build bigger ghettos, to invite the migration to misery in the cities.

I believe we would all do well to read the enlightening report of Jonathan Lindley of the Economic Development Administration who predicts that due to the mismatch of jobs and people in rural areas, the poor will continue to migrate to urban areas for the next ten years.

How are the cities to cope with the human deficit of the Nation's poor, when my city, for example, has lost 200,000 factory jobs in the last five years?

Mr. Chairman, mine is an open city and I hope it always will be.

In New York Bay at the base of the Statue of Liberty are the words of Emma Lazarus:

"Give me your tired, your poor,
Your huddled masses yearning to be free . . . etc."

But these words appear only on one side facing out to foreign shores. The phrase: "Give me your poor" doesn't appear on the other three sides of the statue as an invitation to the fifty States to export their problems to my city and the other cities of this country.

To them we must say,—ours is an open city—but the Federal Government must do its share of spreading the burden of curing poverty wherever it is found.

This bill does not do that. It continues the old imbalances which have drawn the poor to the areas not of opportunity—but of teeming misery.

Open cities and closed rules just do not go together. Speaking for the poor and the taxpayer, I cannot remain silent while my city is sentenced to chaos or oblivion.

NORTH CAROLINA—THE GOOD ROADS STATE

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. GALIFIANAKIS] 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 Alabama?

There was no objection.

Mr. GALIFIANAKIS. Mr. Speaker, for many years, the State I am privileged to represent has been known as "the good roads State." The more than 73,000 miles of State-maintained roads and highways in North Carolina lead the Nation.

To match our highways, North Carolina has two bustling ports at Wilmington and Morehead City. Our air and rail facilities are a vital and growing link with the South and the rest of our Nation.

In fact, Mr. Speaker, North Carolina is a "good transportation State." And for that reason we were especially proud to welcome the Honorable Alan S. Boyd, the new Director of the new Department of Transportation, to North Carolina on July 26 for an appearance before the North Carolina World Trade Association in Raleigh.

Transportation is proving to be of increasing importance to not only the State I represent, but to our entire Nation.

For this reason, Mr. Speaker, I think that the remarks made by Secretary Boyd in Raleigh are of timely interest to us all.

Therefore, under unanimous consent I place them in the RECORD at this point:

REMARKS OF ALAN S. BOYD, SECRETARY OF TRANSPORTATION, BEFORE THE NORTH CAROLINA WORLD TRADE ASSOCIATION, AT RALEIGH, N.C., JULY 26, 1967

I am delighted to be again in North Carolina. This is a state which, like so much of the rest of the country, learned the hard way the importance of transportation. But you learned well. And North Carolina today is not only "The Good Roads State," it is a state with lively new interest and pride in its ports and their potential. And it is a state whose cities, I am told, are beginning to face squarely the problems of urban transportation. Where urban affairs are concerned, yours is the happy opportunity to be able to plan intelligently before your problems become too large.

The last time I made a speech in North Carolina was in March of last year, when I was Under Secretary of Commerce for Transportation. Public officials probably shouldn't be allowed to quote themselves, but I would like to recall some things I said that day.

The Department of Transportation hadn't been approved by Congress then, and I said: "We cannot deal with the total transportation system unless we have a department which will coordinate the various agencies involved in it." I said also that the federal agencies concerned with transportation seemed to be "going off in all directions without any relationship to each other."

And I said that if a Department of Transportation were established, and if its program were effective, "The expenditure would be the greatest investment this country has ever made."

Well, gentlemen, the Department of Transportation will be four months old next week. It is early for me to make sweeping promises. But I do say this. We are beginning to deal with transportation as a total system, and I think our program will be effective.

And one reason it will be effective is that we know we have no monopoly on solutions. I have said many times that the new Department of Transportation does not intend to try to solve problems that private industry can and will solve. The same policy will apply to state and local governments. There is a new understanding in Washington of how the federal government should work as a partner of state and local governments to help improve life for our citizens.

Call this "creative federalism," if you will; or call it simply cooperation. It is the kind of approach to which North Carolinians have always responded. It is no accident, I'm sure, that the first segment of highway to be opened to traffic in the Appalachian regional system is in North Carolina. And it is widely known that North Carolina helped set the pace for the nation in construction of the Interstate Highway system, another great federal-state undertaking.

On March 30, 1967, President Johnson signed the executive order which brought the Department of Transportation into existence. The President gave me some specific instructions as to what the Department should begin immediately to do. There were five general items. Two of them had to do with transportation safety and the threat which transportation systems pose to the quality of our environment.

The President said also that I should—and I quote:

"Enhance our foreign trade through improved connections with the larger systems of world transportation;

"Call upon the technological genius of this country to provide better roads and highways, vehicles which do not pollute the atmosphere, faster and more efficient modes of transportation; and

"Assist, in cooperation with the Agency for International Development, the less fortunate nations of this world to overcome their critical transportation problems."

Those are three tasks. Improve our capacity for international trade. Employ the latest technology in our transportation systems; and help developing nations with their transportation problems. I would like to tell you today how I think those three tasks are related, and how performing them will help the United States, including North Carolina.

In the Department of Transportation, our responsibilities do not stop at the water's edge. Neither do the interests of the transportation officials and the transportation industry of North Carolina. If they did, you would have far less interest in your ports and you would not be nearly as concerned as you are about connecting your ports with the central and western areas of your state.

North Carolinians have understood the importance of international trade since colonial times, when your state exported naval stores, tobacco and other products of this richly endowed state. The tradition persists, with your governors and business leaders working to make North Carolina an exporter to the world.

Now let me take one of those instructions I have from the President. Technical assistance, or foreign aid, is a subject from which too many Americans turn too fast. They miss one crucial point about foreign aid. Our effort to expand foreign trade is tied in large measure to our success in helping the developing nations of the world achieve a high enough level of prosperity to purchase our goods.

Transportation's role is vital to the prosperity of these nations. The Agency for International Development in the State Department administers the technical assistance program of the United States. We of the new Department of Transportation intend to become the major transportation advisor to the Agency for International Development. We will consolidate the technical assistance functions of the various agencies that have provided transportation advice to the Agency for International Development in the past. This undertaking, we feel, will bring about economies in the technical assistance programs and, most importantly, will help assure the orderly development of transportation in the developing nations.

By no means am I suggesting that we intend to help each nation develop quickly a full-scale transportation system. In some cases, it may, in fact, appear that we are doing just the opposite. There may be times when a developing nation wants a new network of four-lane highways while we will argue instead for simply marking shipping routes on natural waterways. There may be times when a developing nation wants to establish an airline system, only to find us arguing that it should buy a fleet of buses instead. In short, we intend to apply to those technical assistance programs which involve transportation the same standards of economy, coordination and orderliness that we believe should apply to public transportation expenditures in the United States.

The President instructed me also to assure that the most advanced technology that is

available is used in the continuing development of transportation within the United States. We have thought a lot in our Department about how to accomplish this goal. Again, our thinking has not stopped at the waters' edge.

Let us suppose that a Western European nation has developed a high-angle take-off airplane that would be ideal for short-range passenger operations in our crowded Northeast—or that might be ideal, for that matter, for passenger operations between Raleigh and Charlotte, or between either of those cities and the Piedmont Triad of Greensboro, Winston-Salem and High Point. Or let us suppose that another nation has developed a new type of high-speed ground transportation system in which an American corporation or a group of American cities might be interested.

Why should we in the United States not take advantage of those advanced transportation technologies in other nations, in return for their taking advantage of our advancements? In the Department of Transportation we are establishing a small organization which we are calling the Office of Industrial Cooperation. Its job is to learn, by all available means, what transportation technology developed abroad would be of value in this country. And its job is to work out the agreements which I believe can lead to significant economies of both time and money as we in this nation seek to solve our transportation problems.

In some cases the Office of Industrial Cooperation will be looking for simple international exchanges of technical data. In others it will seek contract agreements—always reciprocal—which could lead to joint research, joint development and perhaps even joint production of transportation systems. The benefits are obvious. Millions of dollars are spent each year in this nation for transportation research and development, and similarly large amounts are spent in other developed nations. If we pool our resources, every nation involved can profit.

In the early stages of this undertaking, no doubt most of our efforts will be directed toward cooperation with the Western European nations and Japan. But we will not ignore other nations—the Soviet Union, for example. We in the Department of Transportation are perfectly willing to talk to the Russians if we can take advantage of some of their transportation advances. Soviet achievements in cold-weather transportation, in the use of lighter-than-air craft, in tunneling techniques for subway construction are well known in the transportation community. Wherever there is something to be taught about transportation technology, we in the Department of Transportation are willing to make the effort to learn.

The military establishments of the Western nations have tried many times in recent years—but usually with little success—to cooperate in the development of new weapons and new military vehicles. Security requirements and, sometimes, mere petty nationalistic jealousies have hampered those efforts. We in the transportation business are free of many of those concerns. So the Department of Transportation is prepared to cooperate with other nations in transportation development because we feel an obligation to the American taxpayer to do so.

President Johnson instructed the Department of Transportation to use its resources for the enhancement of foreign trade. Transportation is only a servant, but its services are vital to international trade. Our technical assistance program and our industrial cooperation program are, we think, key elements of our broad effort to facilitate trade through better transportation systems and techniques.

And now let me turn to one additional phase of our international trade effort within the Department of Transportation. It is an undertaking which, I'm sure, some of you will consider more pertinent, and closer to home. I am told that in 1966, the total world trade of North Carolina reached a level of well over a billion dollars. That is a remarkable achievement. It reflects the energy and the progressive spirit which have long existed in North Carolina and which exist today.

But your manufacturers have a problem—a problem common to industries all over the nation. Too many American manufacturers, large and small, stay out of import and export trade simply because of the complexities and the cost of the paperwork involved in international trade. These costs sometimes reduce profits to the point that producers can't afford foreign trade.

The problem is recognized at the highest level of the Federal Government. In March President Johnson said, and I quote:

"We have mounted a sizeable Government-industry program to expand exports; yet we allow a mountain of red tape paperwork to negate our efforts."

The Department of Transportation is responsible for attacking this mountain, and we have formed within the Department an Office of Facilitation, which is hard at work. In short order we will be proposing changes which would reduce the paperwork now necessary to international trade. We also are considering a great variety of ideas which look toward facilitating the movement of both people and merchandise as they travel across borders and as they shift from one kind of transportation system to another. One of the real values of this facilitation effort is that it will help the small international shipper as well as the large one, the vacationer as well as the veteran businessman traveler.

In preparation for this trip I read some history—some North Carolina history. I learned about your "Old Plank Road" from Fayetteville to Forsyth County—the longest plank road ever built, a technological marvel of its day. I was reminded that North Carolina's Outer Banks are the birthplace of aviation. And someone pointed out to me a remarkable old law from North Carolina's colonial days. It is the Road Law of the year 1745. It provided that all new roads should be built to the nearest boat landing.

In a way, that is what the Department of Transportation is all about. We do not recommend that all your roads be constructed in such a way as to connect with other systems of transportation. But we are at least as aware today as North Carolina's colonial governors were in the 18th Century of the necessity for coordinating transportation systems from running off in all directions. International trade, especially, requires the coordination of transportation systems. I hope your interest in international trade indicates an interest also in the tasks of coordination and cooperation which the Department of Transportation has begun.

THE ANTIPOVERTY PROGRAM AND ITS VALUE AS AN ANTIRIOT WEAPON

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] 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 Alabama?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the recent controversy over the causes underlying the civil disorders which have erupted throughout our country is reason for grave concern on the part of Congress. Some have suggested that our national antipoverty effort is at fault. To my mind, this charge is spurious at best and tends to weaken and discredit one of our most successful domestic programs.

In my own State of Rhode Island in the city of Providence, the antipoverty agency, Progress for Providence, Inc., played an active and truly significant role in helping to squelch civil disorder and was publicly recognized for its efforts toward averting a major outbreak by the highly esteemed mayor of Providence, Joseph A. Doorley, Jr.

However, the work of the antipoverty agencies with respect to civil disorder is not restricted to a temporary policing action. Sargent Shriver, Director of the Office of Economic Opportunity, has made it abundantly clear that the purpose of his agency is to prevent riots by eliminating their long-range causes and not to foment them by provocative actions on the part of antipoverty workers. In that regard, I have recently come into possession of an instruction dated July 20, 1967, which Mr. Shriver sent to all OEO regional directors. I would like to place it in the RECORD for the information of my colleagues. I would also like to insert into the RECORD an excerpt from the Providence Journal containing a tribute to the staff of Progress for Providence for their assistance in the restoration of law and order during recent disturbances.

The material referred to above follows:

MAYOR PAYS SPECIAL TRIBUTE

Mayor Joseph A. Doorley Jr., at the request of a group of South Providence citizens, paid special tribute yesterday to a group of city employees and community leaders for their continuous work in South Providence and for assisting in the restoration of law and order after the disturbances in that area last week.

In a prepared press release, the mayor said that he had a two-hour meeting yesterday with a group of South Providence citizens to discuss housing, employment and human relations.

A representative group of the force which assisted the Providence Police Department during the disorders attended the meeting, Mayor Doorley said, and made a number of comments and suggestions "concerning the state of affairs in South Providence today."

Those to whom the mayor paid special tribute are the detached workers and staff of Progress for Providence, Inc., Cleo Lachapelle, director of community service for Progress for Providence; the Rev. Herbert O. Edwards, executive director; Carl Smith and the entire staff of the Providence Human Relations Commission; the Rev. Henry Shelton, director of the Inner City Apostolate of the Diocese of Providence; the Rev. Alan Mason, John F. Cicilline, the mayor's administrative assistant, and the many other volunteers who assisted in restoring law and order in the city last week.

TWX TO ALL REGIONAL DIRECTORS

Please get this message out at once to all CAPs in your region and be sure that all CAP employees are made fully aware of its contents. Message follows:

"Recent cases of violent protest and riots have led to unfounded and irresponsible charges that anti-poverty programs and officials have caused such violence. You and I know that the over-all anti-poverty program has turned out to be probably the best anti-riot weapon ever devised. Through all OEO programs we have provided the disadvan-

taged and previously inarticulate citizens of many communities an opportunity for self-help and for self-expression. We have started to eliminate the basic causes for unrest and impatience. In numerous cases, local anti-poverty officials have been particularly helpful in stopping or minimizing violence in situations where tempers had almost reached the breaking point. Over and over again, we have stressed the firm policy of the Office of Economic Opportunity not to permit the use of Federal funds for any activities that are contrary to law or are partisan in nature. In the very rare circumstances where this policy has been violated, we have acted forthrightly in correcting the situation and in reprimanding or punishing the offender. Soon after the enactment of the 1966 amendments to the Economic Opportunity Act, you were sent an explanation of the new "anti-riot" provision adopted by the Congress. On June 8, 1967, CAP Director Theodore Berry issued CAP Memorandum No. 65 as a reminder of this anti-riot amendment. You were reminded that "the initial and primary responsibility for enforcement of Section 1201 (anti-riot amendment) rests with the local grantee agencies responsible for those projects." That remains true and I must look to you for full implementation of this OEO policy.

"Lest there be any misunderstanding about what OEO policy has been and continues to be, let me make it unmistakably clear once again. There will be absolute insistence that every OEO employee and every employee of an OEO grantee scrupulously avoid and resist participation by OEO-funded resources in any activities which threaten public order in any community. I shall insist upon immediate and full penalties for any individuals found guilty of wrong behavior in this connection. Furthermore, I shall insist upon the withholding of OEO funds from any grantee or delegate agency which is shown to be encouraging or tolerating such behavior.

"We must not, and will not, permit the reckless behavior of any individual or group to jeopardize the continued existence of the OEO programs which have started to bring hope and escape from poverty for millions of Americans. Your personal assistance in seeing to it that this policy is fully understood and scrupulously followed is deeply appreciated.

"SARGENT SHRIVER,
"Director."

ARAB AGITATORS MEDDLE IN U.S. POLITICS

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] 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 Alabama?

There was no objection.

Mr. MULTER. Mr. Speaker, it appears that most Arab organizations are attempting to influence U.S. foreign policy with lies and false propaganda.

The Palestine Arab Delegation's articles appear in such anti-semitic publications as Common Sense and Gerald L. K. Smith's, The Cross and the Flag. The Palestine Arab Delegation also maintains relations with the Neo-Nazi National Renaissance Party.

I commend to the attention of our colleagues an article written by James H. Sheldon for the August 10, 1967, edition of the American Examiner.

The article follows:

ARAB AGITATORS MEDDLE IN U.S. POLITICS

(By James H. Sheldon)

On June 21, the Palestine Arab Delegation (N.Y., N.Y.) wired President Lyndon B. Johnson:

"We were greatly disappointed by your statement today . . . the peace you seek is a Zionist imposed peace permitting the treacherous aggressors retain fruit of their criminal war . . . this dangerous U.S. policy will . . . liquidate United States interests in the Middle East."

This telegram was released to the press and sent to a fairly extensive mailing list which the Palestine Arab Delegation maintains. The Arab delegation further charged, untruthfully, that President Johnson had employed "Sixth fleet electronic devices to destroy the effectiveness of the Egyptian radar system," thus making possible the Israeli air victory over Nasser's hosts. The wire ended with a demand that the President "extricate the United States Middle East policy from the tentacles of the Zionist political octopus."

A similar telegram was sent to Senate Foreign Relations Chairman "William J. Fullbright" (his name was misspelled in the press release) and a number of other Senators and Congressmen. "You joined the politicians captive of the Zionist political octopus," this insolent wire declared.

"United States politicians consistently betrayed the good name and best interest of the United States for the Jewish vote and other considerations," the message impudently continued.

It is difficult to realize that a "delegation" representing an important official Arab agency would dare mix into American domestic affairs in this way—but that is precisely what the Palestine Arab Delegation has done and it is evidently proud of its work, for it distributed news releases to all who could be persuaded to read.

The Palestine Arab Delegation is in fact the local agency of the Arab Higher Committee for Palestine, an international Arab organization formed at Cairo in 1946, under the chairmanship of the ineffable Grand Mufti Mohammad Amin el Husseini—the same noisome personage who had earlier served as Hitler's advisor on "the liquidation of the Jewish question." The Mufti's committee maintains offices in Egypt, Syria, Lebanon and Iraq besides its overseas representatives in the United States and elsewhere.

The Palestine Arab Delegation is registered with the Department of Justice as a foreign agent, and in its official statement it declares that one of its purposes is "to win sympathy and understanding of the American government and people." If propaganda such as the above is a way of "winning sympathy," then we think it is long since time for the Grand Mufti to be permanently retired to the ranks of other criminals of World War II.

Ostensibly, of course, the primary purpose of this "delegation" is to represent the Mufti's committee before the various organs of the United Nations. Actually, most of its work seems to have consisted of issuing indiscriminate attacks upon any Americans who happen to be friends of Israel (including myself).

As I have pointed out in earlier editions of this column, this "delegation" maintains relations with some of the most undesirable elements on the American political scene. Not long ago, its postage meter was used to distribute a mailing of James H. Madole's National Renaissance Party Bulletin—a publication of a group described in a staff report of the House Un-American Activities Committee as avowedly neo-nazi in character. (An earlier issue of the same publication had carried the headline: "Adolf Hitler: The George Washington of Europe").

In its December 26, 1965, report to the Foreign Agents Section of the Justice Department, the delegation lists amongst its activities a "lecture by Benjamin H. Freedman, evaluation of the appointment by President Lyndon Baines Johnson of the Supreme Court Justice Arthur Goldberg as the ambassador from the United States to the United Nations." Freedman, although born a Jew, has long been an ardent advocate of anti-Israel causes, and the financier of full-page advertisements attacking Israel and Zionism.

Long articles issued by this "delegation" have been reprinted in Common Sense, the vicious anti-Jewish hate sheet printed in New Jersey, and in Gerald L. K. Smith's anti-Semitic monthly, The Cross and the Flag.

In short, it is time to ask the question whether the United States has any obligation to longer tolerate this kind of hate propaganda and this kind of attack upon our elected statesmen, at the hands of a foreign agency financed by the Grand Mufti's committee.

This country welcomes representatives of all responsible nations and political agencies—but they must function within reasonable limits. There is serious reason to believe that this kind of intervention in our domestic affairs goes far beyond the purposes for which the Palestine Arab Delegation is registered, and it is time that the appropriate law enforcement agencies gave the subject a thorough investigation.

The activities of the New York office of the Palestine Liberation Organization likewise require an airing. The Palestine Liberation Organization, as most of our readers know, is the official agency of the Arab League states which has been engaged in organizing guerrilla bands in the Middle East. It is headed by Ahmad Shukairy, who some months ago said: "It is our purpose to destroy Tel Aviv." This outfit also disgorges great quantities of printed propaganda, helps line up the support of Arab students in the United States behind Nasser's projects, and addresses itself to the people of our country on the radio and through television, and by a campaign of letters to the editors of our newspapers.

We wonder what would happen if the Zionists attempted to set up an office in Cairo to advise Nasser on the shortcomings of his foreign policy, as the Palestine Arab Delegation has seen fit to do with respect to our statesmen? We wonder what would happen if an organization devoted to setting up guerrilla bands for the purpose of fighting against Nasser were to try to set up an office in Damascus? Obviously, such speculation is ridiculous in the extreme. Is it not equally obvious that the time has come for our country to give a second look at some of the strange propagandists who represent official Arab causes here?

THE CRITICAL HOSPITALS SPEAK

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. OTTINGER. Mr. Speaker, the Interstate and Foreign Commerce Committee has reported one of the most important pieces of legislation to come before this House this session, the Partnership for Health Amendments of 1967 (H.R. 6418). This is the administration's major health proposal for this session as amended to include the urgently needed "hospital emergency assistance" program.

Of all the features of this excellent bill, none is more important than this provision which will help critically overburdened hospitals in the Nation overcome grave deficiencies in their facilities and services—deficiencies that deprive the communities they serve of needed health care and thus jeopardize the public health, safety, and welfare.

The committee's report—House Report No. 538, pages 26–28—sets forth persuasively not only the need for the program but an explanation of the way that its modest $58 million authorization will deal with these critical hospital situations.

But the most persuasive and compelling arguments of all are in the letters that I have received from the officials of the hospitals themselves—the dedicated men and women who are daily wrestling with the frustration of trying to provide adequate health care with inadequate tools.

Before reading a selection of these letters into the RECORD, I want to point out that the most striking characteristic of these problem hospitals is that they are found in all types of communities, large and small, in all sections of our Nation. They are not the result of any failure in the existing aid program. They are primarily the product of extremely rapid and unexpected shifts in population and unforeseen local economic changes.

The survey of critical hospitals released last year by the Department of Health, Education, and Welfare shows that 69, or about 40 percent of what was, at that time, 143 critical hospitals in the Nation, were located in the South.

An analysis shows that the smallest southern community with a critical hospital had a population of under 450, the largest had a population of over 100,000 but the median population for all the communities involved was just under 5,700. Clearly, this is a problem that cuts across the entire spectrum of American social, economic, geographic, and political life and, for that reason, the "hospital emergency assistance" program has been tailored to cut across that spectrum, too, and reach into every situation where its help is needed. It is neither a big city program, nor a rural program. It is a national program to meet a national problem.

The distinguished Senator from Alabama, the Honorable LISTER HILL, has proposed legislation strengthening and expanding the existing Hill-Burton program, which comes up for renewal next year. Over the past 20 years, Hill-Burton has been one of the most successful Federal aid programs of all time and I am proud to have sponsored Senator HILL'S new legislation in the House. If this concept of Senator HILL'S is adopted next year, I believe that we will have the tools to prevent the development of "critical hospitals" in the future. In fact, if the administration, which has repeatedly promised to come forward with recommendations in this area, had pressed Mr. HILL'S formula 3 years ago, the emergency program in the "Partnership for Health Amendments" would not have been necessary. It is necessary, however, and we must help these critical hospitals now.

But let the hospitals speak for themselves:

JASPER COMMUNITY HOSPITAL,
Jasper, Ala., July 6, 1967.

Hon. RICHARD L. OTTINGER,
Member of Congress,
Washington, D.C.

DEAR CONGRESSMAN: I am very much interested in your position entitled "Many Hospitals Worse Off Than Patients" as per article in the Birmingham Post Herald today.

We have a non-profit Hospital of 54 beds, 46 of which are located in a three story building erected in 1923, which while fire controlled, is classified as a non-fireproof building and which inspite of the fact that we have spent about one hundred thousand dollars in a renovation program the State Board of Health wants us to replace at a cost of one million dollars of which we have been offered grants totaling 80% of the cost.

Since this is a depressed area we must accept many indigent patients and since any monies for indigent care come through the County Board of Revenue they funnel all of it to the County owned Hospital, and we must absorb our loss which is pretty hard to do. We have a $200,000.00 mortgage on our new wing and part of renovation cost of the old building, we have tried to get the holder of this mortgage to advance us the $200,000.00 we will need to match offered grants, and since our Hospital is located on a full block in a desirable location, we would when our new building is built have a modern Hospital worth well over two million dollars for a loan of $400,000.00, but our request was turned down. We have also contacted several insurance companies but they don't want to put money in a hospital.

I know that we can repay a four hundred thousand dollar loan on a 20 to 30 year basis, and that our building will be needed as a hospital and the need will increase as the years pass, also it could be turned into an extended care facility or nursing home if necessary.

I have gone to great length to show you just why I feel that the bill you are pushing is a must. We have the potentialities but private capital is not interested.

I congratulate you on your foresight and even though it may not come in time to help us, it can and will help hundreds of other badly needed hospitals who are in the same financial bind that we are.

Sincerely,

W. W. BREWER,
Administrator.

GREENVILLE GENERAL HOSPITAL,
Greenville, S.C., February 17, 1967.

Hon. RICHARD L. OTTINGER,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN OTTINGER: Thank you kindly for your prompt and informative letter of February 9 relative to HR 4773.

Your understanding and concern for meeting the growing crises of inadequate and over-crowded hospitals is greatly appreciated. The proliferation of federal and other programs has created a demand for hospital services beyond the capacity of many hospitals to provide such services. Medical care programs designed to enhance and introduce new services are needed, of course, in order that the gap between medical knowledge and what is available may be shortened. However, introduction of new service programs must necessarily include parallel consideration for adequate and sufficient facilities. All elements of a program must be evaluated to assure an effective and efficient plan. You are to be commended for your insight into a real national hospital dilemma.

I wish to state some pertinent information regarding our particular situation at Greenville General Hospital:

a. The South Carolina State Plan lists Greenville General Hospital with 556 general care beds excluding psychiatry (25 psychiatric beds). Of the 556 beds, there are 359 (64.5%) which are non-conforming according to USPHS minimum standards, leaving only 197 conforming beds.

b. Greenville General Hospital actually has 600 beds in use excluding psychiatry. In addition, another 34 beds have been set up in non-patient areas.

c. During the month of January 1967, Greenville General Hospital had from 5–40 patients per day in non-patient areas.

d. Greenville General Hospital had a high adult census of 644 on January 26, 1967.

e. Greenville General Hospital has had an average adult occupancy rate over 90% for several months.

f. Greenville General Hospital had an average occupancy rate for medical and surgical floors of 95.2% for the last three months in 1966. Some nursing units frequently experienced over 100% occupancy during this period.

g. Fourteen new doctors entered private practice in Greenville County during 1966.

h. In 1966, Greenville County had a population of 230,000. The medium projection for 1970 is 256,000.

i. Greenville General Hospital now serves a medical market population of approximately 500,000 people. Approximately 25% of our admissions come from surrounding counties in the Piedmont Region of South Carolina and parts of North Carolina, Georgia and Tennessee.

j. Before July 1. 1966, Greenville General Hospital averaged 90 patients per day over 65 years of age. Now we are averaging 130 patients per day over 65 years of age. We have experienced an increase of 44% in Medicare patients since July 1, 1966.

k. In 1965, there were 14,900 people in Greenville County over 65 years of age. The medium projection for 1975 is 21,100 people in the County over 65 years of age.

l. Greenville General Hospital has waited for Hill-Burton funds for three years and it may still be one or two years before federal funds will become available. Local funds are available but quite limited.

I have written to our Representative, Honorable Robert T. Ashmore and our Senators, Honorable Strom Thurmond and Honorable Ernest F. Hollings to express our interest in your Bill and request their support for its passage.

Sincerely,

WILLIAM L. YATES,
Director of Planning Services.

GREENVILLE GENERAL HOSPITAL,
Greenville, S.C., July 24, 1967.

Hon. LYNDON B. JOHNSON,
President of the United States,
Washington, D.C.

DEAR MR. PRESIDENT: I have learned that Representative Richard L. Ottinger's Hospital Emergency Assistance Act has been adopted by the House Interstate and Foreign Commerce Committee as an amendment (section 12) to the Administration's "Partnership for Health" bill (H.R. 6418).

I have been intensely interested in this program because I think it represents a sound approach to meeting a perplexing hospital facility dilemma without being disruptive to our long range needs and national health goals. Needs and resources must be balanced for the best public interest, but I believe that hospital facility needs have been neglected to a large extent.

There is an increasing public expectation of complete health maintenance as an integral community function in our wealthy and idealistic society. Our local community hospitals are being asked by society to translate medical science into programs of practical

reality. Health is a very basic ingredient for a productive community. Will Durant expressed it best by saying, "the health of nations is more important than the wealth of nations."

It seems that we spend millions for molecules and pennies for people. Human resources must receive our utmost attention.

The hospital's goal is the enhancement of the health of all the people. It is becoming increasingly difficult for the hospital to achieve its social goals. The hospital must run its business in a capitalistic economy but must operate under a society which expects it to serve all the people, but without adequate financial support either for capital expansion or operational programs.

Local resources must be increased for health purposes, but local resources are necessarily limited due to the tremendous input to the State and Federal governments. If we believe in good health for all the people, more Federal funds must be made available to local communities in order that our social aims may be realized.

I trust you will give your usual thoughtful study and consideration to this amendment and that you will favorably support enactment.

Your attention to this interest and concern will be appreciated.

Sincerely,

WILLIAM L. YATES,
Director of Planning Services.

MERCY HOSPITAL OF LAREDO,
Laredo, Tex., July 11, 1967.

Hon. RICHARD L. OTTINGER,
Interstate and Foreign Commerce Committee,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: We have recently received information regarding the Hospital Emergency Assistance Amendment, which is to be considered by the Interstate and Foreign Commerce Committee, during the week of July 10.

We feel that this amendment would in no way duplicate, or compete with Hill-Burton. We know from experience that Hill-Burton cannot furnish all the funds for which they have requests, and, in our particular case, it could possibly be 2 to 3 years before our request for a grant for an addition to our hospital would again be considered.

Our hospital is in urgent need of an expansion to provide an intensive care unit, physical therapy department, and a 25 bed psychiatric nursing division, in addition to enlarging various ancillary departments. We recently were eliminated from being considered for a grant, and a loan, under the Economic Development Administration, because of the shortage of funds provided to this program. In our particular situation, we are the only hospital within a radius of 100 miles, serving a trade area of approximately 150,000 people, and the need for our expansion program is urgent, and will become more critical in the very near future.

We urge you to give this amendment affirmative consideration, not only as a source of relief for our immediate problems, but as a possible help to many other hospitals throughout the United States.

Sincerely,

W. C. COBB,
Administrator.

WEIRTON GENERAL HOSPITAL,
Weirton, W. Va., July 24, 1967.

The PRESIDENT,
The White House,
Washington, D.C.

MR. PRESIDENT: On behalf of Weirton General Hospital, Weirton, West Virginia, your support is requested on the "Partnership for Health" bill (H.R. 6418) and especially to the amendment (section 12) as adopted by the House Interstate and Foreign Commerce Committee.

Weirton General Hospital has been designated a critical hospital due to the fact that it is the only approved hospital in the community and operated at over 100 percent occupancy during the past two years. Additional general and long-term care beds are needed for the hospital to continue to care for the medical needs of this community.

Thanking you for your support and assistance in this legislation on behalf of our hospital as well as all hospitals involved, I am

Respectfully yours,

CHARLES A. OKEY,
Administrator.

WEIRTON GENERAL HOSPITAL,
Weirton, W. Va., July 24, 1967.

Hon. RICHARD L. OTTINGER,
Congressman, 25th District New York,
Washington, D.C.

DEAR CONGRESSMAN OTTINGER: On behalf of the Board of Trustees, the community and myself, I wish to thank you for the tremendous effort that you have put into the passage of the amendment (section 12), to the Administration's "Partnership for Health" bill (H.R. 6418).

Our hospital which is continuing to operate at over 100 percent occupancy has remained in touch with our Senators and Congressmen. However, I shall renew this correspondence and shall also direct correspondence to The President and to The Surgeon General. I have also forwarded correspondence to our State Hospital Association and the American Hospital Association requesting their support. Copies of all correspondence shall be forwarded to your office.

Let me say again, we appreciate most sincerely the work you have done and are continuing to do.

Sincerely yours,

CHARLES A. OKEY,
Administrator.

KENNESTONE HOSPITAL,
Marietta, Ga., July 25, 1967.

Hon. RICHARD L. OTTINGER,
25th District, New York,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE OTTINGER: Your recent memorandum to Hospital Administrators—Re: Hospital Emergency Assistance Amendment is warmly acknowledged.

We will be receiving very soon our final Long Range Planning Report from our consultant. This report is based on required area or community-wide health care requirements that need immediate attention and to the year 1983. Information of this type is current and projects factual need for atypical communities.

May I take this opportunity to offer this report and my personal services to testify on behalf of this measure before your congressional committee.

Respectfully,

ROBERT H. SLACK,
President.

ST. VINCENT HOSPITAL,
Santa Fe, N. Mex., July 6, 1967.

Hon. RICHARD L. OTTINGER,
House of Representatives,
Washington, D.C.

DEAR SIR: I read with interest your proposal for "sick" hospitals, and I can assure you one hundred percent support from this area.

This is a 218 adult bed hospital constructed in 1953 to serve the northern area of New Mexico. Our indigent load averages about 25%, and we cannot logically modernize while carrying this heavy debt—yet we are being pushed to do so.

Recently E. D. Rosenfeld Associates made an extensive medical facilities study of this area. Parts of the study are now being considered for adoption into an OEO program.

A bill passed by the the New Mexico Legislature, which was designed to help hospitals with indigents, was declared unconstitutional by the State Supreme Court.

If I can be of any assistance, please do not hesitate to contact me.

Sincerely,

GEORGE L. BOAL,
Assistant Administrator.

RIVERSIDE HOSPITAL,
Toledo, Ohio, May 23, 1967.

Members of the Interstate and Foreign Commerce Committee, U.S. House of Representatives, Washington, D.C.

DEAR HONORABLE SIR: We at Riverside Hospital are deeply interested in the Emergency Federal Aid for Hospital Expansion and Modernization and do hereby ask your support of such legislation.

Sincerely,

K. A. PEDERSEN.

MERCY HOSPITAL,
Toledo, Ohio, July 14, 1967.

Hon. RICHARD L. OTTINGER,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE OTTINGER: Enclosed is a copy of a report from our Toledo Hospital Planning Association which should be of help to you.

Specifically for Mercy Hospital, Toledo, Ohio, these are some of the facts.

We have a rated capacity by the Ohio Department of Health for 349 beds.

We have 104 beds which are non-conforming under Part "B", which is lack of safety factors. We have 68 beds non-conforming under Part "C", because of lack of toilet facilities.

In 1966 we had an average daily census of 337 patients, of which 272 were adult medical and surgical patients, 25 maternity patients and 40 pediatric patients. We state our capacity as 350 beds with 254 adult medical and surgical beds, 48 pediatric, and 48 maternity beds. So in 1966 we had a daily average occupancy of 107% of our adult medical and surgical beds. Also we keep ten beds for use in the hall for emergency admissions after 4:00 p.m. This is how we can have an average of 107% occupancy of medical and surgical patients.

The first five months of 1967 were worse. We had a daily average occupancy of 355 adult and pediatric patients. This is five patients more than our stated capacity each day from January through May.

Medicare—In 1965 our percentage of patients 65 years or older was 20% of the patient population. Since July 1, 1966 the average number of patients 65 years and older is 25% of the patient population.

The following are some of our immediate present needs:

1. Three hundred more parking spaces, or 90,000 square feet of land, or a parkade.

2. A workable percentage of occupancy for a hospital is 85%. Mercy Hospital has operated at a 97% occupancy for the past two years, 1965 and 1966. We have an immediate need of at least fifty more medical and surgical beds with an increase in all the ancillary facilities to care for the patients.

3. Our house staff, interns and residents, is averaging about twenty-five physicians. We have need of housing for them, more library space, and conference space (auditorium).

4. Need space for our Family Practice Clinic.

5. Need space for a day nursery to care for the children of the valued employee.

6. Need space for placement of E.D.P. equipment.

7. Need space for administrative offices.

We presently have a debt of one million, three hundred thousand dollars. This is being paid by putting all our depreciation

monies toward it. We have no endowments.

If a hospital does borrow millions to build or modernize, then in some way we must obtain the monies from the patient. This is not really fair to the sick, but it is our only means in this city to update. There is an additional problem. The Sisters of Mercy have another hospital in Toledo known as St. Charles Hospital. It has been running over 100% occupancy since about 1956. For the Sisters of Mercy to add two very large debts in order to meet the needs of the city of Toledo will take long and careful consideration.

We do back your bill for the Emergency Assistance for Community Hospitals Services. We will also add a few prayers that it will be acceptable to the House and to the Senate, and appropriations made.

I have notified the Ohio Hospital Association who, in turn, will notify the American Hospital Association about the status of this bill. I have also notified our Hospital Planning Association in Toledo to give you more facts that you may need. I have also notified Mr. Rhude of our Central Development Office to contact persons who can be of help.

Sincerely yours,

Sister MARY VERONA, R.S.M.,
Administrator.

STEUBENVILLE, OHIO,
June 27, 1967.

RICHARD L. OTTINGER,
Washington, D.C.:

Urgently plead for passage of H.R. 6418 "Hospital Emergency Assistance Act." It is the hospital that would benefit from this act. In modernization, renovation, and expansion.

Sister MARY CARMELITA,
Administrator, Gill Memorial Hospital.

WARREN, OHIO,
June 27, 1967.

HON. RICHARD L. OTTINGER,
Washington, D.C.:

Board of trustees of Trumbull Memorial Hospital, Warren, Ohio, requests your favorable support of Emergency Hospital Assistance Act H.R. 4773 being voted in committee June 28th.

JOHN F. LATCHAM,
Administrator, Trumbull Memorial Hospital.

SOUTHWEST COMMUNITY HOSPITAL,
Berea, Ohio, March 1, 1967.

HON. RICHARD L. OTTINGER,
House of Representatives,
Washington, D.C.

DEAR SIR: I have learned of legislation you have introduced recently entitled "Hospital Emergency Assistance Act".

My opinion is that this legislation has merit and could be most helpful to hospitals.

The cost of building has become astronomical for many reasons; building code regulations by state and city governments; advances in medical and hospital care which requires very highly trained, costly employees and extremely sophisticated equipment and procedures; high wages of building employees; high cost of building materials; the need for modernized, extensive service areas; the requirements of the national, state and city licensing and approval agencies; plus many other pressures and requirements from the medical, nursing profession and the community.

This hospital is confronted with building a new 250 to 400 bed hospital at a new, hospital-owned site to meet population growth which has doubled since 1956. This project is a part of community approved development plans by the Regional Hospital Planning Board of Northeast Ohio.

The project may cost as much as $12,500,000.00. Hill-Burton funds may be available not to exceed $3,000,000.00. The hospital will have available $3,000,000.00. Up to $2,000,000.00 may be available from borrowing at high interest rates and probably would be required to be paid off in 20 years or less. The problem confronting this hospital is raising from some source the additional $4,500,000.00 to $5,000,000.00.

The hospital now operates 180 beds. Surveys and planning programs indicate that to build additions to the existing hospital is not wise because it represents an inadequate base for an expanded building and the site is too small. Additional land is not available at the present site.

I wish to encourage you to pursue the legislation proposed as necessary to the future development and improvement of the hospital "system" in the United States.

Very truly yours,

LEE S. LANPHER,

HOPPE, DAY & FORD,
Warren, Ohio, May 25, 1967.

HON. HARLEY O. STAGGERS,
Chairman, Interstate and Foreign Commerce Committee, U.S. House of Representatives, Washington, D.C.

DEAR SIR: I am writing you this letter to solicit your support of the "Participation for Health Act of 1967," known as H.R. 6418.

I am a member of the Board of Trustees of Trumbull Memorial Hospital, Warren, Ohio. Recently the citizens of Warren and community engaged in a campaign to raise funds for expansion of three hospitals in Warren. The campaign raised approximately $3,800,000.00 of which Trumbull Memorial Hospital's share was $2,200,000.00.

The Trumbull Memorial Hospital is now in the process of its expansion program which will cost approximately $9,200,000.00. In addition to the funds received from the community campaign the hospital received approximately $500,000.00 from other gifts and bequests and it has in addition approximately $1,500,000.00 on hand and to be funded. This leaves approximately $4,000,000.00 which the hospital must borrow to complete its program.

Increased hourly rates and benefits to the trade unions resulted in an increase in the cost of our project by $2,000,000.00 over the original estimate.

Patients over 65 years of age now covered by Medicare are occupying 35% of our beds, whereas prior to the advent of Medicare the older patients were using only 21% of our beds. Our hospital is overcrowded in almost every department and the expansion program is a must for the care of the citizens of this community of over 70,000 people.

Preliminary negotiations with financial institutions interested in making long-term loans to hospitals reveal the best available interest rate at the present time is 6¼%.

If H.R. 6418 Bill is passed, under the provision of which community hospitals may make loans of up to 90% of the non-federal participation at 2½% interest and permit repayment over an extended period of time, it would save the people of this community approximately 4% interest on $4,000,000.00. We believe that the people of this community have done more than their share in giving to the campaign recently completed and they need the savings which will be accomplished if H.R. 6418 Bill is passed.

There are 298 requests for Hill-Burton funds in the State of Ohio with over one-third of them in the highest priority, so that Ohio's allocation of funds cannot begin to cover hospital needs, and it has been impossible for the State agency to grant up to one-third matching funds as provided under the law.

Accordingly we strongly urge your support of H.R. 6418 Bill.

Very truly yours,

JOHN Q. T. FORD.

THE SECOND NATIONAL BANK OF WARREN,
Warren, Ohio, May 26, 1967.

HON. HARLEY O. STAGGERS,
Chairman, Interstate and Foreign Commerce Committee, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN STAGGERS: I understand the Interstate and Foreign Commerce Committee has under consideration House of Representatives Bill 6418 pertaining to emergency Federal aid for hospital expansion and modernization.

I am a Trustee of Trumbull Memorial Hospital of Warren, Ohio, and we are currently in the early stages of construction of a $9,200,000 building program. In a community wide fund raising project in our community of approximately 70,000 persons, we raised $3,800,000. Trumbull Memorial Hospital's share of this fund raising effort is $2,200,000. We applied for Hill-Burton funds of $3,000,000 and because of the fact that not sufficient funds were available we were granted $1,000,000. We expect that funds generated from hospital operation, gifts and bequests will aggregate $2,000,000 and will leave about $4,000,000 which must be borrowed to complete our project.

We have found in negotiating with potential lenders that the best available interest rate at the present time is 6¼%. If H.R. 6418 is favorably considered, it would save the community almost 4% interest on approximately $4,000,000 over a period of 20 years which we expect would be necessary to amortize the debt.

I believe that loans at favorable interest rates made available by the Federal government can be of substantial benefit to communities striving to provide expanded hospital facilities at times when building costs have risen sharply and although the community has responded generously private contributions are insufficient to keep pace with the tremendous expansion necessary to provide adequate medical facilities.

Your support of this measure will be very gratefully appreciated by those of us interested in improved medical care and modern facilities at the lowest possible cost which ultimately must be paid by the patient and his family.

Yours very truly,

L. E. BAUGHMAS, *President.*

TRUMBULL MEMORIAL HOSPITAL,
Warren, Ohio, June 1, 1967.

HON. HARLEY O. STAGGERS,
Chairman, Interstate and Foreign Commerce Committee, U.S. House of Representatives, Washington, D.C.

MY DEAR MR. STAGGERS: My purpose in writing to you is to urge that you give active support to the "Participation for Health Act of 1967" known as H.R. 6418. This bill would provide to the community hospitals of the country, a loan up to 90% of cost in which the federal government does not participate. Interest on this type of loan would be 2½% and repayment would be permitted over a period of as long as 50 years.

In Warren, Ohio, Trumbull Memorial Hospital, St. Joseph's Riverside Hospital and Warren General Osteopathic Hospital, all three, collaborated last year on a community campaign and raised $3,800,000 from the public. Trumbull Memorial's building and expansion program alone will cost approximately $9,200,000. Of this amount, Hill-Burton funds will cover $1,000,000. Trumbull Memorial's share of the community campaign will equal $2,200,000, and we have gifts and bequests amounting to $500,000 and cash on hand and to be funded of $1,500,000 which leaves approximately $4,000,000 to be borrowed to complete our program at Trumbull Memorial.

Our discussions with financial institutions that would make long-term loans to hospitals such as ours, reveal that the best available

interest rate at the present time is 6¼%. We certainly would like to save the people of this community 3¾% interest on $4,000,000 over the period of years it will take to repay our loan. While we have applied for additional Hill-Burton funds to which we feel we are entitled, the State of Ohio alone has 298 requests for Hill-Burton funds of which one-third are in the highest priority, so the chances of our receiving additional allocation of funds are not good. The State agency has therefore been unable to grant up to one-third matching funds as contemplated under the law.

The record of this community will indicate that they have done an outstanding job in providing excellent hospital facilities up to the present. Three different public campaigns over the past 15 years, plus the assistance of Hill-Burton funds and gifts have made this possible. Soaring costs as a result of increased hourly rates and benefits demanded by the trade unions, have made our financing task much more severe. The passage of Medicare means that 65 year and older patients now occupy over one-third of our beds whereas prior to Medicare they only used about one-fifth.

The hospitals of this community as is the case with others, I know, are facing a difficult task and need all the assistance they can get. H.R. 6418 would be a great help over the long pull and we certainly hope it will be passed.

Sincerely yours,

T. S. LONG,
Member of the Board of Trustees.

THE LOUIS BERKMAN CO.,
Steubenville, Ohio., June 21, 1967.

Hon. RICHARD L. OTTINGER,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN OTTINGER: The capacity of our hospitals in this area is not sufficient to adequately handle the service required.

Increasing population together with local economic conditions have made it difficult to keep pace with the expansion needed to alleviate this condition.

It would greatly assist all of us in solving this serious problem, if the amendment to the "Partnership for Health Act of 1967," authorizing the Secretary of Health, Education, and Welfare to make grants and loans directly to "critical" hospitals, would receive congressional approval.

May we respectfully solicit your influence and favorable action in connection with this proposed legislation.

Very truly yours,

LOUIS BERKMAN.

ST. JOSEPH MERCY HOSPITAL,
Pontiac, Mich., May 16, 1967.

Hon. RICHARD L. OTTINGER,
Longworth House Office Building,
Washington, D.C.

MY DEAR MR. OTTINGER: As a member of the American Hospital Association we urge the passage of the Partnership for Health Act of 1967—H.R. 6418 with the Ottinger Amendment. Passage of this bill will enable community non-profit hospitals to solve the serious problem caused by inadequate facilities. Our facilities are obsolete and do not meet the needs of our community.

We urge your support of H.R. 6418 and Part C Direct Emergency Grants and Loans to Critical Hospitals.

Very truly yours,

Sister MARY XAVIER KINNEY, R.S.M.,
Administrator.

ST. MARY OF NAZARETH HOSPITAL,
Chicago, Ill., July 6, 1967.

Hon. RICHARD L. OTTINGER,
House Office Building,
Washington, D.C.

DEAR SIR: Your concern for hospitals with high occupancy and low financial means to assist in expansion and renovation was brought to our attention in an article of the July 5, 1967, issue of the *Chicago Tribune.* May we echo your concern and congratulate you on your perceptiveness in locating a major gap in the entire federal program of assistance to hospitals.

Most hospitals in the United States, and in particular, those serving the economically depressed inner core urban areas, have found it financially impossible to accumulate the 70% or 50% matching funds required to make use of Hill-Burton Funds, etc. We enthusiastically endorse your proposal and urge you to pursue it with all haste and perseverance. Our hospital system requires a practical approach, such as yours, if it is to survive and progress.

If we can be of any assistance to you in this matter, please feel free to call on us.

Sincerely yours,

Sister MARY EDELBURG, C.S.F.N.,
Administrator.

TOWNSHIP OF DOVER,
Tom Rivers, N.J., July 19, 1967.

Hon. RICHARD L. OTTINGER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN OTTINGER: Your recent memorandum concerning the "Hospital Emergency Assistance Amendment" was referred to me as Vice President of the Community Memorial Hospital in Toms River, N.J.

Our hospital is urgently in need of the assistance that will be available under your proposed legislation. We presently can accommodate 127 patients by using every inch of space that is available. Our medical-surgical occupancy rate exceeds 100% and each and every month we have more than 150 patients waiting for a bed to become available.

Our area is a rapidly growing community and county, our population having increased more than 100% and is still growing fast. Many of our citizens are "Senior Citizens" as indicated by our senior citizens developments alone numbering close to 2000 units.

We offer our help in any way possible to help have this very needed legislation passed with the hope that it will be dispensed directly from the Federal Government. We are writing to Senators Case, Williams and Congressman Cahill asking their support for this bill.

Appreciate your keeping us informed.

Sincerely,

ERNEST A. BUHR,
Deputy Mayor.

PAUL KIMBALL HOSPITAL,
Lakewood, N.J., May 17, 1967.

Hon. RICHARD L. OTTINGER,
Longworth House Office Building,
Washington, D.C.

SIR: The Paul Kimball Hospital, a non-profit institution serving the hospital needs of northern Ocean County, is vitally interested in an amendment being offered by Rep. Richard L. Ottinger (25th Dist.-N.Y.) to HR 6418 entitled "Emergency Grants and Loans to Hospitals for Renovation, Modernization and Expansion."

Our institution has been in existence for 50 years and is presently faced with a critical need for expansion of its existing facilities in order to meet the hospital needs of a rapidly mushrooming population in Ocean County. At the present time, and for some period in the past, we have been operating in excess of 100% of rated capacity.

Currently, we have on the drawing board and under consideration, a $3 million expansion program to meet our urgent and immediate needs. The local community, as well as surrounding communities, have made available approximately $500,000 in contributions toward this expansion program. Some form of Federal assistance in the light of recent Federal health enactments is essential in order to enable us to meet our obligation as a functioning hospital.

The amendment offered by Rep. Ottinger indicates an existing awareness of the problem and represents a conscientious and intelligent approach to its solution.

Would you please undertake to review this pending legislation and lend your active support to it. It would be most appreciated if you could see fit to advise us as to any course of action that you are able to take in this regard.

Very truly yours,

HAROLD KAPLAN,
President, Board of Trustees.

PAUL KIMBALL HOSPITAL,
Lakewood, N.J., May 27, 1967.

Hon. RICHARD L. OTTINGER,
Longworth House Office Building,
Washington, D.C.

DEAR SIR: This hospital is currently considering a $3 million expansion program which has been geared to add new beds as well as to replace the basic vital hospital services. The hospital has conducted a successful building fund drive and the total monies made available is in the amount of approximately $500,000. It is quite obvious that some form of assistance will be necessary in order to complete this expansion program.

It was indicated by the Department of Health, Education, and Welfare during the past year that Ocean County was listed as one of the critical areas regarding bed needs to accommodate the Medicare patient. In addition we would like to point out that Ocean County has also been listed by the Department of Conservation and Economic Development of the State of New Jersey as being the fastest growing County in New Jersey showing a 39.5% increase. With these facts in mind, combined with a high hospital occupancy rate, this Community has found itself in dire need of expanding its hospital facilities and services.

The amendment submitted by Rep. Richard L. Ottinger (25th Dist.-N.Y.) to H.R. 6418 entitled "Emergency Grants and Loans to Hospitals for Renovation, Modernization and Expansion" represents a conscientious and intelligent approach to Federal Assistance for hospitals.

We respectfully request that you review this pending legislation and lend your active support to it.

Very truly yours,

PAUL APTEKAR, M.D.,
President, Medical Staff.

WATERTOWN, N.Y.
July 7, 1967.

Hon. RICHARD L. OTTINGER,
Longworth House Office Building,
Washington, D.C.:

Our Hospital is operating at 101.2 percent capacity which necessitates beds in all solariums and with increasing frequency, beds in corridors. We have architects plans for an expansion program of 49 long-term beds and a replacement of 44 nonconforming beds. Our chances of procuring Hill-Burton funds is nil due to our low priority rate. Our program in part has been approved by the Hospital Review and Planning Council of New York State. We do not have funds to implement this plan. The passage of hospital emergency assistance amendment is imperative to assure our community good hospital care.

CARLTON B. SHACNON,
Administrator, House of the Good Samaritan.

Hon. RICHARD L. OTTINGER,
Longworth House Office Building,
Washington, D.C.:

Putnam Community Hospital is facing an ever increasing bed shortage with continued occupancy in excess of 100 percent. This is due to the advent of Medicare. Our daily

occupancy of over age 65 patients has risen from 15 percent to 30–35 percent patients for elective surgery. A high percentage being over age 65 are faced with admission delays of 2 to 4 weeks. The introduction of your bill No. H.R. 15969 in the Senate at this time and prompt hearings in both the House and the Senate are vital if we are to provide expanded and necessary care at this hospital.

AMBROSE LAVIGNE,
Administrator, Putnam Community Hospital.

WATERTOWN, N.Y.,
August 27, 1966.

HON. JACOB K. JAVITS,
Senate Chamber,
Washington, D.C.:

Respectfully request your additional urgent attention for quick passage Ottinger bill H.R. 15969, Emergency Hospital Assistance Act of 1966, to enable critical hospitals to meet expanding demands for services under new Government health programs.

Sister MARY ENDA, RSM,
Administrator, Mercy Hospital of Watertown.

NEW CHAIRMAN CONFIRMED FOR EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CONYERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CONYERS. Mr. Speaker, I am very pleased to note that the nomination of Clifford L. Alexander, Jr., by President Johnson, to be Chairman of the Equal Employment Opportunity Commission, was confirmed by the Senate on August 2, 1967. Mr. Alexander has long been a friend of mine and, based on this association, I can attest to his excellent qualifications for this important responsibility. He has served the President extremely well as a White House assistant since 1964, and this experience should be invaluable to the Equal Employment Opportunity Commission.

Mr. Alexander takes the reins of the Equal Employment Opportunity Commission at a crucial time. The Commission has been in existence just 2 years. During this time, it has had considerable difficulty securing an adequate staff to handle a far greater workload than originally anticipated. It appears that finally these problems are being resolved, and that the Commission is ready to make a meaningful contribution to the elimination of discrimination in hiring practices. As the Washington Post editorial of July 27, 1967, points out, Mr. Alexander has a great opportunity to guide this Commission into the forefront of civil rights progress.

One major difficulty faced by the Commission to date has been the weak enforcement powers contained in the original legislation. Now pending before Congress is a proposal to strengthen these enforcement powers by giving the Commission cease and desist order powers. S. 1308, introduced by Senators CLARK and JAVITS, has already been reported favorably by a Senate Labor Subcommittee. An identical version to H.R. 680, H.R. 10065, passed the House overwhelmingly last year. Because I believe that the machinery contained in this legislation could well serve as a model in the fair housing area, I offered such an amendment to the omnibus Civil Rights Act of 1966 and was gratified when the House of Representatives accepted this amendment. I am also pleased that the housing provision of the omnibus civil rights bill of 1967 contains the same enforcement provisions in its title on fair housing, indicating full acceptance of this concept by the administration.

I urge the Congress to act favorably on this equal employment opportunity legislation so that Clifford Alexander and the Equal Employment Opportunity Commission are enabled to meet the expectations of the minority communities of the United States.

At this point in the RECORD, I include several newspaper articles which attest to the overwhelmingly favorable response to the appointment of Mr. Alexander from all quarters:

[From the Amsterdam (N.Y.) News, July 8, 1967]

ROY WILKINS LAUDS L. B. J. ON ALEXANDER

In a telegram to President Johnson following appointment of Clifford L. Alexander as chairman of the Equal Employment Opportunity Commission, NAACP Executive Director Roy Wilkins said: "There has been a kind of tradition that entrusting the leadership of an agency enforcing civil rights to a Negro may be indiscreet.

"This tradition has now been struck a timely blow. My associates in the NAACP join me in renewing our pledge of vigorous and critical support of the EEOC as it moves ahead under Chairman Alexander."

Mr. Wilkins also commented that "the new chairman brings with him youth, dedication and intelligence as well as invaluable experience as a member of your personal staff."

[From the Amsterdam (N.Y.) News, July 8, 1967]

TWO NATIVE SONS

Two New Yorkers have recently moved into positions of great responsibility and challenge. We are sure each is capable of doing justice to his new job, both of which are in the field of equal rights.

In Washington, Clifford L. Alexander, Jr., has been named by President Johnson as the new chairman of the Equal Employment Opportunity Commission. His job, subject to Senate confirmation, will be to head a Federal agency in charge of ending job discrimination in industry and labor.

In New York, Robert J. Mangum has been named by Governor Rockefeller as the new chairman of the State Commission for Human Rights. He takes over an almost new agency, one that has been revised after growing complaints over the work of the old agency. With emphasis on enforcement and broader powers in the chairmanship, the lingering criticism of SCHR may now die down.

Mr. Alexander and Mr. Mangum, both native sons, will bring dedication and intelligence to their new responsibilities. We are certain that EEOC and SCHR will both benefit from their being at the helm.

[From Jet magazine, July 13, 1967]

CLIFFORD ALEXANDER, PRESIDENT'S NEW BIAS FIGHTER

President Lyndon B. Johnson's newest job bias buster is a sleek, handsome ex-Harlemite who boasts degrees from Ivy League schools (Harvard and Yale), a White House counsel and top Negro member of the inner circle. Apprised of his nomination as the $27,500-a-year chairman of the Equal Employment Opportunity Commission (EEOC) in Washington, D.C., Clifford Alexander, Jr., quipped: "It's another challenge in my life." Alexander, 33, is a banker's son.

As the top-ranking Negro on the President's staff, Alexander, a legal counsel and civil rights advisor, quietly furnished the expertise and firsthand knowledge to pave the way for human relations advances. Aides recall how he took off-the-record assignments, such as informing Dr. Martin Luther King Jr. on statistics of the Vietnam war, to offset his (King's) widely reported (but inaccurate) figures. Alexander was a back-up man in framing executive orders and campaigns aimed at upgrading Negroes in government.

Alexander, the first Negro named to head the $6.5 million, 281-staff anti-bias group, matches his Harvard honor record, his Yale Law School background and a medley of hard-hitting legal posts with mounting discrimination in industry and labor unions. "The President has faith in me," said Alexander. "And I'll do the job."

Modest and slow to anger, Alexander's poised countenance often is taken as a sign of meekness. Friends regard the young scholar as competent and able not only in the world of law and politics but also in administration.

[From the Washington Post, July 25, 1967]

THEIR JOURNEY MARKED BY MANY MILES

(By Dorothy McCardle)

It's a long way from Harlem to the White House, but Mr. and Mrs. Clifford L. Alexander Jr. have made it in style.

Today both are helping other Negroes take similar journeys.

"The final gesture toward racial peace will have to come from the private sector," says Alexander.

Cliff Alexander's efforts are through the Equal Employment Opportunity Commission, of which he is the new chairman. His wife is working as a member of the District of Columbia Board of Higher Education, which is setting up the new Federal City College. She has also helped organize an integrated nursery school.

Both agree that Government efforts such as these cannot alone achieve truly equal opportunity, and that the right to vote is not enough, either.

He thinks that the current epidemic of racial unrest could be ended within a decade if the American people could suddenly see the "irrelevancy of color" in their relations with Negroes.

Alexander blames "the age of the tube" for triggering violence among Negroes.

"The opulence of American life shown on television makes for increased frustration and outbursts of discontent among Negroes," he said. "TV has opened my people's eyes to the discrepancies in American life as nothing else could do.

"A few far-seeing industries are offering job programs to Negroes which provide courses in good grooming, mathematics, speech, sewing, cooking as well as job skills."

All industry, he says, will have to do this eventually, if "this generation of Negroes is to catch up with the rest of the Nation."

The Alexanders live with their two young children in a newly restored, three-story brick house on C Street behind the Capitol. It has every modern convenience with central air-conditioning. Tastefully furnished, the home's walls reflect talents of Mrs. Alexander, an artist in several media.

As President Johnson's former Deputy Special Counsel, Cliff Alexander and his wife are frequent guests at White House social functions.

At home in his own neighborhood, Alexander keeps in touch with his people's problems virtually in his own back yard. Near him is a playground where he shoots basketballs with teen-age players. Most know him only as a fine athlete, not as the friend and aide of the President.

The Alexanders grew up together in Harlem. He is 33, four years older than she. They went through the same neighborhood schools, and then he went off to Harvard where he graduated cum laude and got his law degree at Yale. She went to Radcliffe to major in architectural sciences.

Both have known first-hand the prejudice against their race, but Washington has less, they say.

"Washington has welcomed us," Alexander says.

"Unless, of course, we wanted to buy a house in Virginia or Maryland or if I wanted to go to lunch at the Metropolitan Club or play golf at the nearby country clubs. Then I don't think I would be welcome."

The Alexanders have two children, Elizabeth, 5, and Mark, 3.

[From the Washington Post, July 27, 1967]

OPPORTUNITY

The Senate Labor Committee is scheduled today to consider the nomination of Clifford L. Alexander Jr., to serve as chairman of the Equal Employment Opportunity Commission. Presumably the Committee will conclude that he ought to have the job. He has exceptional qualifications for it in terms of character and experience; and it seems highly appropriate that the chairmanship should be filled at this time by a Negro with genuine fervor for the Commission's purposes. Mr. Alexander has had training for the tasks ahead of him as executive director of Harlem Youth Opportunities Unlimited in New York. And his more recent service as an aide to President Johnson has undoubtedly given him some knowledge of how to get things done in Washington.

The EEOC has not been conspicuously successful to date. But it has done a good deal of essential preparatory spade work in the development of technical assistance programs which can help employers to change basic hiring and promotion policies so as to enhance opportunities for Negroes. Equality of opportunity can be a reality only through training which enables workers to overcome handicaps and disadvantages of birth and background. The EEOC must do much more than a policing job; it must do an affirmative promotion job. This will demand of its chairman much more than the charm and persuasiveness Mr. Alexander has already demonstrated. It will demand drive and toughness. We hope he will bring these qualities to the opportunity ahead of him.

BIOGRAPHY OF CLIFFORD L. ALEXANDER, JR.

On June 27, 1967, President Johnson announced his attention to nominate Mr. Clifford L. Alexander, Jr., to be Chairman of the Equal Employment Opportunity Commission succeeding Stephen N. Shulman, whose term expired July 1, 1967.

BACKGROUND INFORMATION OF MR. ALEXANDER

Present position

Deputy Special Counsel to the President, The White House.

Education

A.B., Harvard University, Cum Laude, 1955.
LL.B., Yale Law School, 1958.

Previous experience

Successively Deputy Special Assistant, Associate Special Counsel, and Deputy Special Counsel to the President, 1964 to present.

Foreign Affairs Officer, National Security Council, 1963–1964.

Private Law Practice, New York City, 1963.

Program and Executive Director, Harlem Youth Opportunities Unlimited, 1962–1963.

Executive Director of the Manhattanville Hamilton Grange Neighborhood Conservation Project, 1961–1962.

Assistant Director Attorney for New York County, 1959–1961.

Born September 21, 1933, New York City. Married in 1959 to Adele Logan. Two children. Home: 247 G Street SW., Washington, D.C.

First Marshal of class, Harvard University.

President, local chapter, Phi Delta Phi, International legal fraternity while at Yale Law School.

Contributor, *The Newcomers—Negroes and Puerto Ricans in a Changing Metropolis* (by Oscar Handlin).

Military data

United States Army, 1958–1959.

ANTIPOVERTY WORKERS PLAY AN ACTIVE ROLE

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. TIERNAN] 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 Alabama?

There was no objection.

Mr. TIERNAN. Mr. Speaker, one of the saddest aspects of the riots which have taken place throughout America in the past several weeks is the attempt on the part of some to imply that the administration's antipoverty effort is to blame for these disturbances. It has even been alleged that antipoverty agency employees have aroused the poor to take desperate action to secure their rights through violence and destruction.

Knowing the policies of Sargent Shriver as I do, my own belief is that most of these charges are groundless. While I cannot speak for other cities in which civil disturbances have occurred, I know without any question that antipoverty workers had no part in causing the problems which arose in the south Providence section of my congressional district on the evenings of July 31 and August 1. There is no doubt that they exercised an extremely positive influence in "cooling down" the residents of that community and urging a spirit of law and order which was observed by the vast majority of the people living there.

As the Congressman representing south Providence and one who is vitally concerned with the welfare of all its residents—both Negro and white—I have been tremendously impressed by the quick and efficient action of the employees of Progress for Providence, the local community action agency, in moving in and taking preventive action. Without their help, the developments of July 31 and August 1 could have been much more serious than they were.

I would like to take this opportunity to commend the mayor of Providence, Joseph A. Doorley, for his swift and efficient response to the initial outbreak of disturbance in the city. I am most certain that his immediate actions lessened the possibility for the growth and spread of the disorders that had begun. I also feel that the Providence Police and Fire Departments are worthy of high praise for their restraint and their courage under admittedly trying circumstances. These men worked with antipoverty aides in an admirable manner and I think this cooperation could well be a model for the entire country.

I should also like to take note of the sensitive manner in which the press handled the coverage of the South Providence disturbances. The radio and television stations did not seek to take advantage of this unfortunate disorder; they simply reported it as it happened without speculation and without distortion. The Providence Journal Bulletin also wrote the story without exaggeration or disproportionate coverage.

What happened in south Providence is just another reason why the Office of Economic Opportunity must be preserved as the command post of the war on poverty. Rather than cause riots, economic opportunity programs are designed to prevent them by giving poor people a voice in their own destiny. In that sense, OEO has been the foremost deterrent to riots in our country's history.

At this point, I would like to insert in the RECORD three news clippings from Providence newspapers which report on the helpful role played by Progress for Providence employees during the recent disturbances:

[From the Providence (R.I.) Journal, Aug. 2, 1967]

ANTIPOVERTY WORKERS PLAY AN ACTIVE ROLE

Antipoverty workers were active along with police in South Providence last night and played a major role in trying to prevent a major outbreak.

One incident, in particular, illustrated the role played by the volunteers from Progress for Providence, Inc., the city's antipoverty agency.

At about 9:30 p.m., a group of about 20 youths gathered on Prairie Avenue and began moving toward the Willard Avenue Shopping Center.

Kenneth R. Delves, of 261 Rhodes St., a young assistant director of the agency's South Providence drop-in center on Prairie Avenue, began to follow the group from its starting point at Blackstone Street.

Using a bullhorn, he urged the crowd repeatedly to go to the center. "Listen," he called. "We've got to get back to the drop-in center. That's why it's there."

The gang continued to move toward Comstock Avenue and the shopping plaza. Police remained in the background while Mr. Delves continued his pleading.

When the crowd arrived at Comstock Avenue, it stopped and listened to a sailor who tried to stir them up with inflammatory remarks.

After a few minutes, however, Mr. Delves regained the youths' attention, telling them firmly: "Now come on—I'm on my knees to you guys."

The group heeded Mr. Delves' urging this time and moved to the drop-in center, where most of them remained. It was 15 minutes after Mr. Delves began using his bullhorn. It was one of those turning points that kept the area relatively calm before midnight.

[From the Providence (R.I.) Evening Bulletin, Aug. 3, 1967]

MAYOR PRAISES WORK OF POLICE, POVERTY AIDES

Providence Mayor Joseph A. Doorley Jr. today gave high praise to city police and antipoverty workers for their efforts in trying to head off and then quelling the disturbances in South Providence Monday and Tuesday nights.

The police, the mayor told his press conference, showed "remarkable restraint" in

handling the trouble, a factor that undoubtedly prevented even greater violence.

As for the antipoverty workers, the mayor said, they were invaluable in helping to deal with the people of the community and the city does not intend to lose contact with them.

Some of these workers conceivably could have been on the other side during the disturbances in South Providence last summer, the mayor said. Now there is great rapport between them and the police, he added.

No estimate has yet been made of the cost of overtime pay for firemen and police, but whatever it comes to will be well spent because no life was lost, Mr. Doorley said.

The curfew that turned South Providence streets into a ghost town last night will be continued tonight. The mayor said he will consult with police officials and antipoverty workers tomorrow morning before deciding whether to lift the ban.

The mayor was cautious about concluding on the basis of last night's calm that the trouble in the predominantly Negro section is over, but said he hoped it was.

Mr. Doorley said that one step that should be taken in the South Providence area is improvement of the Roger Williams housing project. This must be refurbished to make it more attractive, he said.

This should not be construed as a reward for disturbances, he said, but there are 170 vacancies in the structure and some of the appliances are 25 years old.

The governor's office has requested that the city make an estimate of the property damage, which is not now available. Mr. Doorley said that an inventory will be started today, but that most of the damage appeared to have been to cars and windows.

The disturbances, the mayor said, did not appear to have been organized. The hoodlums who caused the trouble simply knew there was tension and took advantage of it, he said.

[From the Providence (R.I.) Evening Bulletin, Aug. 4, 1967]

ON THE SCENE TO HELP

If antipoverty workers have been instrumental in stirring up trouble in some U.S. cities this summer, as charged, the evidence is quite the contrary in Providence.

When trouble began in South Providence Monday night, workers for Progress for Providence stepped in without hesitation to assist police officers on the scene. Donning helmets, they went among groups of neighborhood youths, pleading for an end to the disturbance and asking them to disperse. One worker used a police bullhorn for three hours, appealing for law and order. Observers said his efforts were effective.

Tuesday night, volunteers from the agency again formed the vanguard of those attempting to restore calm in the troubled area. Police held back as the workers pleaded with the crowd, "Now come on," one volunteer shouted. "I'm on my knees to you guys." Eventually, gunfire forced the police to step in, but the volunteers efforts had not been wasted.

Mayor Joseph A. Doorley Jr. extended this well-earned praise. "As far as I'm concerned," he said, "there's no telling how bad this might have been if it hadn't been for you guys." A police sergeant agreed. "They did a good job, a very good job."

Again Wednesday night, the volunteers were there, walking through the streets, telling neighborhood residents about the 9 p.m. curfew ordered by the mayor.

If Providence has escaped the widespread violence, bloodshed and looting that has befallen other American cities, the credit belongs to many, of course—to the overwhelming majority of inner city residents, to the police who acted with intelligent restraint, to government officials, and certainly not least or last to the volunteers from Progress for Providence whose good judgment and support for law and order are a tribute to the individuals involved and the agency that employs them.

HAMPDEN COUNTY, MASS., TEACHERS EXPRESS GRATITUDE TO CONGRESS FOR ENACTING ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] 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 Alabama?

There was no objection.

Mr. BOLAND. Mr. Speaker, for 6 weeks this summer, 33 teachers of social studies in the public and parochial schools of Hampden County, Mass., participated in the Social Studies Curriculum Institute at Duggan Junior High School, Springfield, sponsored by the Springfield School Department.

The institute was financed under a $40,723 title III Elementary and Secondary Education Act grant to the Springfield public schools as an innovative and exemplary supplementary educational services project entitled "Restructuring the Social Studies Curriculum."

These educators have written to me expressing their gratitude to the Congress for enacting the Elemenetary and Secondary Education Act "which made this valuable experience possible for us." They informed me that "the institute was a most productive and stimulating experience for us." And they will go back to their classrooms with the opening of school in September and put into practice, by teaching our youth, what they have gained by experience at the institute, which concluded on Friday, August 4.

Mr. Speaker, I am sure my colleagues will agree with me that it is indeed satisfying to receive a letter of gratitude from people back home for legislation enacted by the Congress. When the Elementary and Secondary Education bill was before the House in 1965, I felt, and so stated on the floor, that it was landmark legislation in the field of education. I know now that it is, and will continue to be, as President Johnson said in describing the legislation on July 28, 1964, "the first work of these times and the first work of our society" in education.

Mr. Speaker, I am pleased and proud to convey to the Congress of the United States the gratitude of the 33 Hampden County educators who signed the letter which I insert, with their names, at this point in the RECORD:

SOCIAL STUDIES CURRICULUM INSTITUTE,
August 3, 1967.

HON. EDWARD P. BOLAND,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BOLAND: We, the undersigned, wish to express to you and through you to the Congress of the United States our sincere gratitude for the opportunity which was made available to us under the Elementary and Secondary Education Act to participate in the Social Studies Curriculum Institute this summer. The project was sponsored by the Springfield Public Schools and included fifteen communities in the greater Springfield area.

The Institute was a most productive and stimulating experience for us. It afforded us an opportunity to hear from and work with some of the national authorities in social studies curriculum development as well as outstanding scholars in the social sciences. It has been rewarding and exciting too, to exchange ideas with and to work with other teachers of the social studies from neighboring schools and cities. We all feel that the Institute will have a most significant impact on social studies instruction, the most vital part of the education of our young people.

We are grateful to you for the interest which you have shown in the project and to you and the Congress of the United States for enacting the legislation which made this valuable experience possible for us.

Sincerely yours,

CORNELIUS K. HANNIGAN,
Springfield Public Schools.
ELEANOR V. JOHNSON,
Brunton School, Springfield.

David Barry, Minnechaug Regional High School, Wilbraham.

Gerald L. Canter, Van Sickle, Springfield.

Peter Clarke, Anna E. Barry, Chicopee, Principal.

Beryl M. Dunn, John R. Fausey, W. Springfield.

Thomas Dunn, Technical, Springfield.

Richard W. Elliott, Abner Gibbs Elementary, Westfield.

George Elsner, Longmeadow Junior High, Longmeadow.

Norma Erickson, Frederick Harris, Springfield.

Elsie C. Fisher, Howard Street, Springfield.

Richard Francis, Birchland Park Junior High School, East Longmeadow.

Lucille D. Gibbs, North Branch, Springfield.

Robert Heon, Kiley, Springfield.

William Igoe, Memorial, Springfield.

Stephen Jendrysik, Chicopee Comprehensive High School, Chicopee.

Marc S. Katsoulis, Ludlow High School, Ludlow.

Gregory Konstantakos, Van Sickle, Springfield.

Raymond A. Latham, Jr., Lincoln, Springfield.

Sister Laurentine, S.N.D., Holy Cross, Springfield.

David Lynch, Palmer High, Palmer.

Sister Maria Patricia, Holyoke Catholic, Holyoke.

Walter L. McCarthy, Agawam High, Agawam.

Roland C. Miller, Technical, Springfield.

Mr. Terry Rhicard, Mile Tree School, Wilbraham.

Miss Marguerite B. Rhodes, West Springfield Junior High School, West Springfield.

John R. Roan, East Longmeadow High School, East Longmeadow.

Alice E. Ross, White St. School, Springfield.

Edward P. Shea, Principal, South Chestnut Street, Holyoke.

Raymond F. Whiting, Southwick High, Southwick.

William R. Young, Classical, Springfield.

Dorothy M. Ziemann, Westfield High School, Westfield.

Anne Cosmopoulos, Fairview Memorial, Chicopee.

HOFFMANN-LA ROCHE PIONEERING INNOVATION: THE ROCHE INSTITUTE OF MOLECULAR BIOLOGY

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may ex-

tend 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 Alabama?

There was no objection.

Mr. RODINO. Mr. Speaker, I am pleased and proud to call to the attention of my colleagues the establishment of the Roche Institute of Molecular Biology. An outstanding pharmaceutical firm in my congressional district, Hoffmann-La Roche, Inc., of Nutley, N.J., has created this unique institution. It is in my judgment a pioneering innovation that may well benefit generations yet unborn, for this is the first time that a large pharmaceutical company is sponsoring an entire institute wholly devoted to fundamental research designed to shed light on basic life processes.

The primary objective of the Roche Institute of Molecular Biology is the advancement of our understanding of fundamental biological principles. Only in this way can we make progress in the *battle against* pain and disease, and achieve new victories against age-old scourges of mankind.

The Roche Institute of Molecular Biology represents a new approach to fundamental research which is necessary because of the extremely complex nature of the problems confronting modern medicine. The institute will provide an academic atmosphere, stressing the search for new knowledge for its own sake; at the same time, it will offer ready access to the scientific manpower and resources of a major pharmaceutical research organization.

I believe it is most significant that all the scientists at the institute will enjoy full independence in their choice of research problems: they will be guided solely by the scientific importance of a project.

I am informed that one of the leading scientists in this country, Dr. Sidney Udenfriend—currently Chief of the Laboratory of Clinical Biochemistry at the National Heart Institute—has agreed to assume the directorship of the institute. It will start with a staff of 150 men and women and will be housed in a new, modern five-story laboratory.

Mr. Speaker, this new research institute represents an additional forward step in Hoffmann-La Roche's fine plans to render service to society. Earlier, I have called attention to the Roche indigent patient program and the Roche medicare reimbursement plan designed to help reduce the cost of medical care. Now, this latest project offers a new approach to basic research which we can anticipate will yield substantial benefits to humanity in terms of scientific progress. At this point in the RECORD I would like to include for the information of my colleagues the text of the charter of the Roche Institute of Molecular Biology.

CHARTER, ROCHE INSTITUTE OF MOLECULAR BIOLOGY

The Roche Institute of Molecuar Biology is dedicated to fundamental research in biochemistry, genetics, biophysics and other areas in the domain of molecular biology. The Institute will be wholly devoted to long-range basic research designed to shed light on fundamental life processes.

Scientists at the Institute will enjoy independence in their choice and pursuit of research problems, guided solely by the scientific importance of a project.

The Institute will benefit from the guidance and counsel of a Board of Advisors, consisting of outstanding scientists in leading universities and research centers.

Publications by members of the Institute will be approved by the Director, based on the recommendation of an internal board, and will be judged solely on scientific merit.

Members of the Institute will be encouraged to accept appoinments at local universities and to participate in university teaching.

The Institute will be located in its own building in an area near the Hoffmann-La Roche research laboratories. This will permit the scientists of the Institute to pursue their individual research programs while having available to them the resources and services of the existing laboratories of the company.

In addition, the proximity of the Institute to the Hoffmann-La Roche research laboratories will create an opportunity for stimulating interchange in an environment conducive to creative effort.

Leading scientists from throughout the world will be invited to spend a year or two at the Institute, free to pursue research projects of unusual scientific importance.

The Institute will also provide an opportunity for promising young scientists to obtain advanced training and to engage in fundamental research under conditions encouraging professional growth and creative effort.

V. D. MATTIA,
President, Hoffmann-La Roche Inc.
JULY 20, 1967.

POLLUTION AND UNEMPLOYMENT

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. RODINO. Mr. Speaker, those of us who represent urban areas are now more critically aware than ever of the many years of decay and neglect that have engendered the present crisis in our cities. Time has been against us, for the problems that we face are all too often replaced by staggering new problems brought about by an exploding population, major social dislocations, and the acknowledged inability of State and local governments to create a healthy, humane urban environment.

I am pleased to note, however, that the Federal Government and the State of New Jersey are currently engaged in two separate but related efforts that show cause for some optimism; and offer some hope that men will yet be able to reverse the trend of urban pollution, decay, and unemployment. Air pollution control and industrial urban renewal will not solve all our problems, but progress in these vital areas will be of immeasurable help. At this point in the RECORD I would like to include two excellent editorials from the Newark Evening News pointing out the progress Newark is making in attempting to come to grips with these two vital areas of concern.

[From the Newark Evening News, Aug. 8, 1967]

INDIFFERENT NO LONGER

New York and Newark are first and eighth respectively on the U.S. Public Health Service list of metropolitan areas with the most severe air pollution. These unenviable ratings are the result of years of indifference and neglect which, happily, seem to be approaching an end.

New York has a new Air Pollution Control Law which should produce marked results when it is fully enforced. A similar municipal effort limited to Newark would be much less effective, for this city is only the core of a wide industrial area embracing many municipalities. Accordingly, on this side of the Hudson, the main responsibility for combating air pollution has properly been assumed by the state.

The state's program is being administered by a new division of clean air and water in the State Health Department. Its director, Richard J. Sullivan, is showing vigor and determination.

Among other steps, he has called a hearing for Sept. 7 on a proposed code, authorized in pollution legislation adopted this year, which will have for its purpose the prevention of any new sources of pollution. The code will require a state permit for the installation, construction or alteration of equipment capable of causing air pollution. Permits would be issued only if code standards were met.

Mr. Sullivan's staff is also preparing codes dealing with sulphur dioxide emission and other pollutants. Last week he announced the opening in Paterson of the state's fourth air pollution monitoring and warning station, which will provide continuous data on sulphur dioxide, carbon monoxide and smoke levels, and also serve as a warning system when air pollution requires emergency action.

All this, of course, amounts only to a beginning, but a hopeful one.

[From the Newark (N.J.) Sunday News, Aug. 6, 1967]

MEADOW OPPORTUNITY

Financially and physically, the biggest obstacle to converting Newark's meadowlands to profitable use has been the problem of soil stabilization. A major step toward overcoming that obstacle now has been taken through federal approval of engineering plans that may shorten by three years the time needed to erect industrial plants in the area.

Not only has the U.S. Department of Housing and Urban Development sanctioned the use of pilings, it also has cleared a $27-million capital grant for the project, including additional land acquisition. Accordingly, the estimated time needed to ready the land for use has been shortened from three or four years to eight or 10 months.

Most immediate beneficiaries of the breakthrough will be the 22 plants for which application already has been made. They intend to employ 10,000 workers, the great majority in industrial-type jobs. The development could not be more encouraging since jobs in industry, trucking and warehousing have been declining in this area while office employment has risen steadily. As a result Newark has been declared a distressed area in this category of employment.

Ultimately, development of 1,529 acres of meadowlands is expected to create 60,000 new jobs and produce $6 million annually in new revenue for the city. Other cities have started with much less. For Newark the meadowlands development could be the basis of a major economic advance.

Served by a seaport and adjacent to established rail, highway and aerial transportation, the meadows constitute an incalculable

asset. Now that the courageous planning of its developers has found support in Washington, the dream of generations past has been brought to the brink of realization.

ANTIPOVERTY PROGRAM

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WILLIAM D. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, I am always amazed at the lengths opponents of the antipoverty program will go to criticize it. Where the Office of Economic Opportunity is concerned, it is always open season on the agency and its programs.

Until yesterday I had always felt that this body had a unanimous interest in knowing all there is to know about programs of Federal assistance. I was sure that every member of this House was interested in what is going on in our Government. I was sure that each Member of Congress wanted to know what the executive branch was doing with the taxpayer's money.

But I was wrong.

One of our colleagues, in a speech here yesterday, chose to criticize information prepared by the Office of Economic Opportunity. He did it very dramatically, I will admit. He brought before the House copies of each State edition of the report on "Federal Social Economic Programs."

I stand now to disassociate myself from his criticism.

I have always been grateful for this information—information about Federal programs of assistance and statistics on the implementation of those programs throughout the country.

I look upon this information as a valuable resource in my service to my constituents and to the State and local governments which, in cooperation with the Federal Government, serve them.

I see the information also as a means of following the implementation of programs authorized by the Congress.

I am satisfied, moreover, that this interest is shared by most Members of this body—an interest in their constituents and in their responsibilities.

But I would not be speaking to you today if my purpose were only to stress the difference in my position and that of my colleague, who yesterday spoke so critically of OEO information about Federal programs.

I am speaking now to set the record straight—something we have to do far too often because of the irresponsible criticism by opponents of the antipoverty program.

Three points, in particular, need to be made about yesterday's attack on the Office of Economic Opportunity and its report on "Federal Social Economic Programs."

First, it should be noted that the program information to which my colleague objected is welcomed by most Members of Congress—Republicans as well as Democrats. OEO is constantly urged to provide additional information on programs of Federal assistance, and I have joined in the repeated praise that the Agency has received for the service it has performed in this area.

The information is even more valuable to State and local Governments where officials seek to use Federal assistance effectively and cooperatively to meet the needs of their citizens.

Second, my colleague's mathematics is as faulty as his logic. He placed the cost of the publications he criticized at $580,000 or $2,900 per set. The $580,000 figure covers the entire cost of the Federal information exchange system, including the catalog of Federal assistance programs as well as the report my colleague criticized. The cost of the report averaged $3 per copy—not $2,900 a set as he indicated.

Finally, it should be stressed that the information provided by OEO was authorized by law—requested, in other words, by an interested Congress.

Section 213 of the Economic Opportunity Act states that:

> In order to insure that all Federal programs related to the purposes of this act are utilized to the maximum extent possible, and to insure that information . . . is readily available . . . the director is authorized . . . to collect, prepare, analyze, correlate, and distribute such information.

Mr. Speaker, I have given up hope that inaccurate and irresponsible criticism of the antipoverty program would eventually cease. That, I guess, is too much to expect.

But I want to assure the House that I intend to set the record straight when necessary, and I would hope that my colleagues would join me in that effort. Those in poverty deserve no less.

UPWARD BOUND AT MERCERSBURG

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] 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 Alabama?

There was no objection.

Mr. HOLLAND. Mr. Speaker, Upward Bound is one of the Office of Economic Opportunity's most creative and constructive programs. Its very name symbolizes quite well the approach that Sargent Shriver and the OEO have brought to our Nation's war against poverty. This approach is that a "hand up" is more important than a "handout."

Through Upward Bound, many teenaged children caught up in the vicious cycle of poverty are being given a vital "hand up" the educational and cultural ladder. The young men and women who are enlisted in Upward Bound came from underprivileged environments and demonstrate their willingness to improve their lives by living and working 6 to 8 weeks in a concentrated routine that includes tutoring classes, precollege counseling, recreational and social programs, and vocational counseling.

The Mercersburg Academy in Waynesboro, Pa., is one of the many excellent institutions sponsoring the Upward Bound program.

I would like to take this opportunity, Mr. Speaker, to insert in the RECORD an article from the Waynesboro Record Herald of July 1 which describes some of the activities and opportunities being afforded to young people in poverty by the OEO's Upward Bound program:

SIXTY-FOUR UPWARD BOUND AT MERCERSBURG

Want to be somebody?

Amount to something?

Go places and do things in this big, rich world?

The answer is "yeah, man, yeah!" by plenty of today's teenagers as they grope toward their tomorrows.

Many a youngster is dissatisfied with his lot. He looks vaguely but hopefully ahead to success of some kind . . . any kind . . . but is unable to translate dreams into action. Frustrations grow. He winds up cornered on the same old treadmill worn smooth by his parents and their parents before them.

"We can show these young people that education is the key that shouts 'open sesame!' to the world," says the 'Upward Bound' staff at Mercersburg Academy where 64 boys are just that . . . upward bound.

Head of the program, which is one more federally sponsored weapon in the war against poverty, is Richard J. Dolven. This is the second summer Dolven has directed Upward Bound. It's also the second 25 of the young students have attended. Which goes to prove six weeks of concentrated study can be turned into a "vacation" for the right type boy or girl.

Dolven's assistant, Tom Moriarty, recruited many of the 64 boys enrolled in the program which opened June 25 and concludes August 4. Prospects were suggested by school guidance counselors, ministers, community leaders. They come from families designated underprivileged for one reason or another, and most of the boys are in the 15–17 age group.

Mercersburg Academy's program is one of 245 throughout the nation. The total enrollment is 20,000 young people.

"We seek boys with potential ability—boys who lack motivation on account of their environmental background," Moriarty stressed. "Then we try to build a fire under them."

The basic objective is to help the lads with school work, show them learning can be fun, emphasize the value of education and channel them into improving themselves and their future families.

Counselors who double as tutors live in Main Hall, including Moriarty and 10 dormitory counselors.

One of the counselors is Mark Divelbiss, Greencastle, and another is Steve Martson, Carlisle, known in this area for his basketball ability.

New boys this year are enrolled in the humanities program or a combination astronomy-geology course. Students returning this season are studying writing—basic grammar and fundamentals of style and a course in German. They may opt participation in a chemistry-physics course. An alternative is art—including ceramics, pottery, history of art, and drawing as taught by Walter Nichols, Wilson College instructor.

New this year is the Upward Bound radio station to be operated on campus. It includes involvement in electronics and radio.

"The overall objective is to help these young men get into junior college, college or trade school to further their education to guide them toward better employment," Moriarty said.

Moriarty will be in charge of a new follow-up program planned for winter months. He will work fulltime for Upward Bound from

his home in Carlisle. Hopefully, he said, he will counsel once or twice weekly with the Upward Bound students from Harrisburg, Shippensburg, Carlisle, Waynesboro, etc. Volunteer tutoring by college students has been promised by Shippensburg State, Dickinson and Harrisburg Community College.

"The follow-up program is important," Moriarty said. "When these fellows get back in public school the situation becomes very critical. After getting them all steamed up on education, we want to make sure there's no flickout of interest."

TAX HIKE REQUEST CALLS FOR DEEP CONGRESS STUDY

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] 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 Alabama?

There was no objection.

Mr. MOSS. Mr. Speaker, Congress currently has pending a most important request from the President of the United States, a request which requires most careful and responsible evaluation by every Member of the Congress. Among the significant factors which must be considered is the extent to which the income tax has been utilized by the several States in their most recent legislative sessions. For instance, my State of California under the leadership of Governor Reagan, has utilized the income tax to increase from 13 to 20 percent the portion of total State revenue derived from that source, an increase for the average taxpayer of 60 percent. This increase will fall most heavily on the taxpayers in the $10,000 to $20,000 bracket who will find much to their surprise that their income taxes will go up from roughly 80 to 102 percent. Above that level of income, the increase will average roughly 43 percent with the highest income reflecting the smallest increase. Additionally, sales taxes were increased and taxes on other consumer products were increased. This pattern of tax increase across the Nation is not unique to California. The totality of impact upon individual earnings must be considered.

Mr. Speaker, I include at this point in the RECORD an editorial from the Sacramento Bee of August 10, 1967, setting forth two pertinent factors which should also be considered in evaluating the tax proposal:

TAX HIKE REQUEST CALLS FOR DEEP CONGRESS STUDY

There can be no ready acceptance or rejection by Congress of President Lyndon B. Johnson's call for a 10 per cent increase on income taxes. The hike may be essential but the only way to establish its need or its unnecessity is for Congress carefully to check the economy.

The administration's approach to financing the Vietnam war has been as baffling and contradictory as its accounting of the progress of this war to the American people.

At the first of the year LBJ estimated a 6 per cent income tax surcharge would be needed. Now he suddenly raises it to 10 per cent. In January the President estimated there would be a deficit of $8.1 billion. Now he foresees a deficit of $29 billion. This escalation of red ink has been almost equal to the escalation of the war.

It is by no means a cut and dry issue. If the Vietnam war is the real cause for the tax hike request, the warring generation should pay for the war, rather than pass it on to the future in the form of loans. If it is true there is substantial reduction in the output of peace time consumer goods, the expected boom in consumer demand for them inevitably would raise prices and the specter of serious inflation.

Such inflation would cut incomes, possibly more than higher taxes. It would reduce exports, thus jeopardizing American balances of payments. The President claims this inflation also would raise interest rates to a ruinous high.

All of these arguments were heard before Congress, under administration pressure, repealed the 7 per cent investment tax credit.

Congress, however, quickly restored the investment credit when it found inflation was not happening in anything like the magnitude of the predictions.

Congress should not again make grave fiscal decisions without a painstaking study of the factors of prices, production and more resourceful policies by the Federal Reserve System. Nor should it be unmindful of the possibility that too steep a bite on the consumer might invite a recession which would make financing the war even more difficult.

A NATIONAL COMMISSION ON PRODUCT SAFETY

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] 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 Alabama?

There was no objection.

Mr. MOSS. Mr. Speaker, my Subcommittee on Commerce and Finance is currently considering House Joint Resolution 280 to create a National Commission on Product Safety. I insert in the RECORD at this point two articles on this subject which appeared in the June–July issue of Trial, the official publication of the American Trial Lawyers Association:

DEATH AMIDST LUXURY

(*"Today we live in an era of rapidly expanding technology with new products introduced on the consumer market every day. Unless decisive steps are taken to safeguard persons from hazards of common household products, in the next few years there will be great increases in deaths and injuries."*)

(By Richard E. Marland, Ph.D., Chief, Injury Control Program, Department of Health, Education, and Welfare)

The United States Public Health Service vigorously supports legislation to create a National Committee on Product Safety. Epidemiological data obtained by surveillance teams, operated by the Injury Control Program, U. S. Public Health Service, clearly indicate that injuries, resulting from the use of common household products, are increasing.

We estimate that this year one million Americans will suffer injuries from the use of ordinary household products, such as heating, cooking, electrical appliances, and machinery.

Today, we live in an era of rapidly expanding technology with new products introduced on the consumer market almost every day. Most of the consumer products are items which have come into use only within the past three decades, many of them developed in the past ten years.

The tempo at which new products and wider choices among existing products will become available to the American consumer is accelerating. In all probability, the next five years will see the introduction of a greater number and variety of consumer items than was the case during the last five years.

HEAT AND POWER

The American home of today is more highly mechanized than were many factories of a generation ago. The application of electric energy to lighten household tasks is almost endless. The availability of portable heating devices for use on the move and in recreation is a typical phenomenon of our rising prosperity and increasing leisure time.

Increasing numbers of consumer products involve both heat and power and, today, we can brush our teeth, shine our shoes, carve our meat, and even scratch our backs with power equipment designed for these purposes. But many such household products can be hazardous, if improperly designed or not carefully used.

A case in point: the power lawn mower. This labor-saving equipment is a great boon to millions of Americans. Nevertheless, we estimate that this year 100,000 persons will be injured while using power mowers.

DIFFERENT PERFORMANCE STANDARDS

Another manifestation of our high standard of living is the popularity of home workshops. Not infrequently, these now feature power equipment of types which, until very recenty, were found only in commercial establishments. We estimate that 125,000 persons a year are injured by home machinery in their basement workshops.

Without the kind of safety supervision associated with the use of such equipment in commercial establishments, it may well be that machinery sold for use in the home should meet different kinds of performance standards designed to increase protection of the amateur.

A major source of household injuries is the washing machine equipped with a wringer. This commonplace and useful device exacts an estimated injury toll of 100,000 per year, most of the victims being children.

Heating devices are involved in an estimated 125,000 injuries a year, including 30,000 associated with furnaces, 35,000 with space heaters, and 60,000 with floor furnace grates. Heating devices are potentially hazardous not only because they can inflict burns, but also because they often are involved in carbon monoxide poisoning.

The vast majority of the approximately 600 annual estimated cases of fatal carbon monoxide poisoning, involving home cooking and heating, could be avoided. Many cases involve heating equipment intended for use without venting.

Floor furnace grates, involving an estimated 60,000 injuries a year, are the source of painful burns, particularly among young children and the aged.

Cooking stoves involve about 100,000 burn injuries a year; skillets involve approximately 80,000 more; home incinerators account for an estimated 50,000 burns.

The need for additional protection is underscored by these figures and facts.

TOP HEAVY

We estimated that 35,000 individuals—nearly all children—suffer burns each year by pulling cords of appliances. In many cases, these appliances are filled with hot substances and some are top-heavy or unstable by design. These appliances can be upset very readily with only slight pressure on the cord.

Burns, involving electric wall sockets and extension cords, total 30,000 a year. This figure, incidentally, does not include injuries involving electric shock. We believe many of these injuries might be prevented by redesign of the equipment.

A type of injury more likely to involve older people and young children is scalding

by hot water in bathrooms. We estimate 25,000 casualties a year in this category. Most of these injuries could be prevented by equipment with built-in safety features.

GLASS HAZARDS

Although tempered glass, which is less likely to shatter, is being used increasingly in glass doors and panels used in contemporary home and building construction, there still are about 40,000 injuries a year involving glass doors or panels.

There is no Federal requirement that glass doors or panels be resistant to shattering. Most of the victims of this type of injury are children. Major nerve or tendon damage may result, requiring long periods of restrictive surgery and rehabilitation.

Let me illustrate with a few examples: A nine-year-old boy in a western state walked through a sliding glass door and was permanently disfigured by lacerations over his entire body. Two cases involving death occurred when a 27-year-old mother of two small children bled to death after tripping and falling through a glass door, and a six-year-old boy died when his abdomen was punctured by shattering glass of a plate glass door.

By no means are all products associated with such injuries necessarily faulty in design. Our investigations indicate that a majority of such injuries result from the improper use of the products involved.

DISTURBING FACTS

However, in the course of our surveillance over accidental injury, we find many products incorporating design or manufacturing characteristics which do tend to cause injuries. There are also some products, which by their very nature, are needlessly hazardous to the user.

We find products which, while not particularly dangerous so far as design is concerned, could and certainly should be improved from the standpoint of injury prevention.

New products frequently are used by many individuals in a manner not intended, and the results often indicate need for reconsideration of their design characteristics.

We believe that there is an urgent need to review and reshape the laws dealing with hazardous household products. However, neither the Department of Health, Education, and Welfare nor any other one agency of Government now is in possession of all of the information needed as a basis for formulating specific legislative proposals in the field of consumer protection.

There is a need to review and assess relevant research findings and information accumulated by the Public Health Service and other agencies.

What the President refers to as "a patchwork of frequently uncoordinated laws, incomplete and uneven in coverage," do not adequately protect either the interests of the consumer or those of the producer and supplier.

Unless decisive steps are taken to safeguard persons from the hazards of common household products, in the next few years there will be great increases in deaths and injuries; the cost to our economy will be staggering.

ON HAZARDOUS HOUSEHOLD PRODUCTS—CAN CONGRESS HALT ANNUAL MILLION DEATH AND INJURY TOLL?

An unprecedented type of consumer protection law—stressing and identifying hazardous household products and calling for greater public protection in law in the areas of warranties—is about to be passed by Congress.

Already approved by the U.S. Senate the bill—establishing a seven-man fact finding National Commission on Product Safety—is expected to receive very little opposition in the House of Representatives.

President Johnson, who stated in a speech that "the march of technology that has brought unparalleled abundance and opportunity to the consumer has also exposed him to new complexities and hazards," stands ready to sign the bill, White House sources said.

HAZARDOUS PRODUCTS

The urgency of such a Commission—to probe, recommend new legislation, and set enforcement standards—was recently underlined at a Senate hearing when a report by Consumers Union cited more than 376 hazardous products now used in the home—from electric fans, rotary lawnmowers, and garbage disposals, to television sets, frying pans, etc.

Undersecretary and Assistant Secretary for Science and Technology in the Department of Commerce, J. Herbert Hollomon, told Senator Magnuson:

"The available figures indicate that thousands of injuries in the home are caused by household products. The victims of these accidents are often young children. We do not know fully in each case how state and local statutes, codes and regulations protect against unreasonably hazardous household products. We do not know at this time how best to provide adequate protection.

ABUNDANTLY CLEAR

"One thing is abundantly clear: Some way must be found to lessen the incidence of these injuries, or to prevent unreasonably hazardous products from reaching the consumer in the first place. . . . The consumer has the right to expect that everything feasible has been done to design in a household product the optimum between safety and utility."

Commenting that many manufacturers are not indifferent to the safety of the consumer, Hollomon added:

"Yet the fact remains that hundreds of thousands are injured every year in or about their homes. The U.S. Public Health Service has estimated that nearly one million injuries are associated with only 12 types of products or appliances. Four of these—power mowers, washing machines, cooking utensils, and power tools—account for over 400,000 injuries."

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] 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 Alabama?

There was no objection.

Mr. DANIELS. Mr. Speaker, the Department of Health, Education, and Welfare has just announced a series of important changes in the organization of its agencies. I believe this is decidely a step in the right direction and I want to express my support to Secretary Gardner and his associates in the Department.

At present the Department is the second largest organization in the Federal Government, second only to the Defense Department. Its budget this year calls for more than $13 billion plus additional billions it manages in the form of separate trust funds.

Even more important, it has a tremendous daily effect on the lives of millions of Americans. Anything we do to improve the effectiveness of such a Department is reflected in better lives for a lot of our citizens.

It is this objective—giving prompt and constructive help to people with special problems—that is reflected in the new organizational arrangement announced today.

A social and rehabilitation service has been established, bringing together under one central direction most of the service-giving programs of the Department. As Secretary Gardner pointed out, the new agency will make possible a unified approach to the problems of needy Americans, with special emphasis on the family. Within this kind of approach, there will be special attention to the needs of the aged, the handicapped, children, and certain others.

Administrator of the new agency is Mary E. Switzer, a distinguished career servant of the American people. For the past 16 years she has established a national and international reputation as the Commissioner of Vocational Rehabilitation.

The new organization will establish five major units under Miss Switzer's direction. These are the Rehabilitation Services Administration, the Children's Bureau, the Administration on Aging, the Medical Services Administration, and the Assistance Payments Administration.

Within this kind of grouping, the handling of the money payments for welfare will be separated from the service-giving activities. Each of the new units will be able to concentrate on their special program of developing community activity on behalf of the handicapped, the elderly, poor families and juvenile delinquency.

It has been my privilege to chair the Select Subcommittee on Education and thereby to become quite familiar with certain of these programs. I believe they will be greatly enhanced by this organizational change.

I believe, in short, that this is a turning point in our efforts to coordinate and simplify Federal grant programs and agencies. It should make the task of working with Federal agencies much simpler for State, city, and voluntary officials.

I look forward to the Secretary's new organization as a better way of serving the American people. I have complete confidence in Miss Switzer's capacity to infuse this new organization with the same dynamic spirit of accomplishment that has characterized her previous work for handicapped people.

ELECTION DAY HOLIDAY

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MONAGAN. Mr. Speaker, Townsend Scudder, president of the Center for Information on America, who has done exemplary work through the center, in promoting knowledge and understanding of America, recently brought to my attention a booklet entitled "The Right to Vote" which is one of a series of

the "Grass Roots Guides" published by the center.

This booklet examines various means of increasing the voter participation in our national elections. Sad to say, Mr. Speaker, although the United States is the world's leading democracy, we lag far behind in the percentage of our citizens who participate in the electoral process. Italy has averaged a 92-percent voter participation in each of its last four national elections, while the West German Federal elections have drawn no fewer than 78.5 percent of the eligible voters to the polls during the past 15 years. Here in the United States the greatest percentage of voter participation is 63.8 percent. I am happy to state that Connecticut's average is much higher.

One recommendation made by Mr. Scudder's organization is that election day should be proclaimed a National Day of Dedication to Democracy. No holiday is now given to the contemplation of the great ideals of America. The Fourth of July used to be a truly patriotic holiday, but it is now spent picnicking, swimming or watching stock car races. The recommendation of the center is identical to one made by the Commission on Registration and Voter Participation established by the late President Kennedy in 1963.

Making election day a national holiday is a proposal of substantial merit. It has been endorsed by the Democratic Town Committee of Woodbury, Conn., as a proposed platform plank and by the Newtown, Conn., Bee in an editorial on July 7, 1967.

Mr. Speaker, it is fitting that Americans take time to rededicate themselves to the great ideals of American Democracy. I, therefore, include a copy of the proposed platform plank and of the editorial of the Newtown, Conn., Bee at this point in the RECORD and I commend them to my colleagues' attention. I also include Mr. Scudder's letter:

WOODBURY DEMOCRATIC PARTY PLATFORM IN FAVOR OF ESTABLISHING ELECTION DAY AS A NATIONAL HOLIDAY

Our electoral system and the free and secret ballot are the lifeblood of our democracy. Concerned over the relatively poor record of our citizenry in turning out to vote, President Kennedy, shortly before his death, set up a President's Commission on Registration and Voting Participation. Among its recommendations was the suggestion that Election Day be designated a "National Holiday of Dedication to our Democracy" to remind people of their right and privilege and make it easier for them to vote.

We believe that Woodbury should promote this spirit through its own observance of Election Day, to lead the way in a movement that could sweep the nation.

[From the Newton (Conn.) Bee, July 7, 1967]

KEEP PATRIOTISM ACTIVE

The Center for Information on America, headquartered in nearby Washington, is doing important service in its series of pamphlets, "Grass Roots Guides on Democracy and Practical Politics" and in its series of leaflets, "Vital Issues."

The purpose of the former is to encourage wider and better informed political activity, while the latter presents each month the backgrounds and current situation of a topic of major importance for a better informed citizenry. Both are prepared under the capable editorship of Townsend Scudder of Woodbury.

The most recent "Grass Roots Guide" deals with "The Right To Vote," and in it Donald G. Herzberg gives in detail the various ways in which present laws restrict that right. He also suggests how the laws should be changed. He speaks with authority on the subject, since he is executive director of the Eagleton Institute of Politics at Rutgers University and served as staff director of the President's Commission on Registration and Voting Participation.

That Commission was created by President John F. Kennedy in 1963. When it first set about its assigned task the members were largely convinced that apathy was the principal cause of this country's poor voting record. They soon discovered, however, that millions of Americans are being barred from voting because of existing antiquated voting and election laws. The Commission then made some definite recommendations for modern election laws and modern administration of them.

Because we have just observed the Fourth of July, it seems appropriate to emphasize one point in the Commission's report. The Commission believes that election day should be proclaimed a "National Holiday of Dedication To Our Democracy" and makes that recommendation.

According to the "Grass Roots Guide," this country has no legal holiday at present which is a truly patriotic holiday. In years past such a day was the nation's birthday, the Fourth of July. Patriotic speeches, parades and pageants were the order of the day. Unhappily, however, the patriotic nature of the Fourth has largely given way to the pleasure of long week-end jaunts and participation in all sorts of entertainment. The Commission felt there is a need for a truly national holiday, when citizens are encouraged to reflect on what unites us as a people rather than what divides us. Turning election day into that kind of holiday seemed to the Commission to be an ideal solution.

To us, it makes sense that a new emphasis be placed upon election day. We must say, however, that many people are coming to observe the Fourth of July in a more sane and patriotic spirit than in the past. The death record of the National Safety Council may not substantiate that statement, since a record toll of 694 lives was taken on the country's highways over the long holiday weekend.

Yet, locally many people did spend the holiday quietly at home, enjoying Newtown's Progress Festival patriotic program and display of fireworks on Monday evening. The attendance was estimated at 5,000. Observances of the Fourth in both Bethel and Danbury were also popular.

This country's sense of patriotism does run deep; more frequent and appropriate stimulant is needed to keep it active.

CENTER FOR INFORMATION ON AMERICA,
Washington, Conn., August 7, 1967.

Hon. JOHN S. MONAGAN,
House of Representatives,
Washington, D.C.

DEAR JOHN: While the Center rigorously guards its policy of non-partisanship and objectivity, every now and then there is a change to boost or help launch some nonpartisan movement through a grass roots guide or vital issue. An example was our vital issue first printed in 1965, "Conservation Commissions at the Local Level." This helped spread the idea even to the west coast. A present instance is our grass roots guide, just recently issued, "The Right to Vote" (I enclose a copy).

As you will see, this guide includes the recommendations of the President's Commission on Registration and Voting Participation. One of these recommendations, that to set aside Election Day as a holiday dedicated to our democracy, caught the eye of the editor of the Bee, resulting in the editorial I enclose. In sequence, a plank has been proposed for the local democratic party platform in Woodbury, as you will see from the second enclosure. This idea seems to be spreading to other local committees and the Woodbury committee has received requests for further information. Knowing your great interest in election reform, it occurs to me you might care to hear of this particular development, very much at the grass roots level, and I know those interested in it would be very much interested on any comment on the idea which you might care to make.

Best regards,
Sincerely,

TOWNSEND SCUDDER.

ATLANTIC-PACIFIC INTEROCEANIC STUDY COMMISSION—COMMENTARY ON THIRD ANNUAL REPORT

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FLOOD. Mr. Speaker, the President, on August 8, 1967, transmitted to the Congress the Third Annual Report of the Atlantic-Pacific Interoceanic Canal Study Commission covering the period from July 1, 1966, to June 30, 1967—House Document No. 154, 90th Congress, first session. When the first annual report of this organization was submitted, I made detailed comments on it in a statement to this body in the RECORD of August 25, 1965. When the second annual report was submitted, I commented in more general terms on it in a statement in the RECORD of September 27, 1966. A reading of the first two reports and my commentaries thereon should be helpful to those seeking background information.

The President, in his letter transmitting the third annual report, stated:

There is little doubt that the construction of a sea-level canal is technically feasible. The major questions to be resolved are: When it will be needed; whether it would be financially feasible; and where and how it should be constructed.

So far as I ascertain from a careful reading of the third annual report, it does not supply the answers to these questions. It does, however, confirm the key points that I made in my previous discussions of the first two annual reports as follows:

First. That the study group is not an independent and adequately constituted body but an ex parte part-time consulting board for an inquiry rooted in Government agencies.

Second. That under the statute creating it, this body has one predetermined objective—a vast sea level undertaking, either in the Canal Zone territory or in Panama.

Third. That it is working hand in hand with those seeking to bring about the abrogation of the 1903 Treaty with Panama under which the Canal Zone was

acquired, the Panama Canal constructed, and subsequently operated.

Fourth. That, without authorization from Congress, it is studying the "modernization of the existing lock canal," for the purpose of evaluation.

Fifth. That of the members of the study group only two have engineering background and that neither of these has had responsible Panama Canal experience.

Sixth. That the third annual report, like the first two, fails to make a clear statement of the key issues of the interoceanic canal problem.

The members in the present administratively appointed study group, now riding herd on the isthmian canal problems are: Hon. Robert B. Anderson, Chairman; Robert G. Storey, lawyer, Vice Chairman; Dr. Milton S. Eisenhower, educator; Brig. Gen. Kenneth E. Fields, Army engineer, retired; Raymond A. Hill, engineer; Col. John P. Scheffly, U.S. Army, retired, Executive Director.

As the report cites Public Law 88–609, 88th Congress, approved September 24, 1964—78 Stat. 990—as the basis for its general authority, I would like to invite attention to the legislative history of this enactment, which is amazing. This history will be found in my April 1 and July 29, 1965, address to the House on the "Interoceanic Canal Problem: Inquiry or Coverup?" These addresses were republished in a collection of my speeches in "Isthmian Canal Policy Questions"—House Document No. 474, 89th Congress.

As to the more significant contentions and implications of the third annual report, I would invite attention to the minority report of 1967 study by the Center for Strategic Studies, Georgetown University, on "Panama Canal Issues and Treaty Talks," quoted by me on June 8, 1967, in an address to the House of Representatives. In that address, I made extended commentaries on the center's majority report, which does not inquire into the merits of the issues but, because the third annual report's policy is based upon Presidential announcements, the position it takes is presented as a fait accompli, which is entirely fallacious.

In these connections it is well to refer to the proposed treaty for the construction of a new canal in so-called sea level design in the Canal Zone, initially estimated in 1947 to cost $2,483,900,000. This figure is in light of experience with other projects of great magnitude, is probably inadequate, nor does it include the cost of an indemnity to Panama and emergency conditions that will inevitably arise.

Even if such a new canal should be located east of the Canal Zone in Dorien country between San Miguel and Caledonia Bays, nuclear methods could not be used because of the test-ban treaty that would require approval by the Soviet, which undoubtedly would not be given. A recent estimate for constructing a canal site by conventional means is $5,132,000,000, exclusive of an indemnity to Panama and the costs to cover emergencies. Moreover, the life of the proposed treaty for such a canal would expire in the year 2067.

Panama could refuse to renew the treaty for another period; and thereupon could expropriate such canal. The result would be that the limited status would lose the cost of constructing such new canal and any deficit that may have been sustained would have to be met by taxation.

Heretofore, in my discussions of the first annual reports and elsewhere, I have stressed the enormous costs and dangers involved in attempting to construct a canal of sea level design in the treacherous terrain of the Canal Zone, which I reiterate.

The members of the "Commission" may be altogether heedless of the vast costs of their proposal and the resulting tax burdens that would be imposed on our citizens. They are not elected to office and are out of contact with our people. The Congress, however, is elected by popular vote, and has grave constitutional responsibilities, and must deal with wisdom and justice in this matter.

In these connections it is noted that the frequent study commission, in its third annual report, requests an extension of its final reporting date from June 30, 1968, to December 1, 1970, and an increase in its appropriation ceiling from $17.5 million to $24 million. If such a miscalculation in estimates for study costs has been made what degree of miscalculation can we expect for a vast sea level project, which is grossly unprecedented in the isthmian area?

The determination of the isthmian canal policy of the United States is not a mere routine matter but one of transcendent importance. To aid in keeping our country's true objectives in focus, I would emphasize what I have stated on previous occasions:

First, the overriding duty of our Government to protect our indispensable sovereign rights, power, and authority over the U.S.-owned Canal Zone territory, and Panama Canal.

Second, the major increase of capacity and operational improvement of the existing high level lake lock canal, including the creation of a summit level anchorage in the Pacific sector to match the layout at Gatun. More than $75 million was spent on a third locks proposal, including excavations for lock sites at the Gatun and Miraflores, which excavations are usable, major canal improvements, and many millions more in the enlargement of Gaillard Cut due for completion in 1971. Moreover, this plan enables the maximum utilization of all work so far accomplished at Panama and does not require a new treaty, which are paramount considerations.

Third, the question of a so-called sea-level canal at or near the present canal.

Fourth, the matter of an alternate canal at a site other than in the Canal Zone, of the best type for the economic transit of vessels.

Mr. Speaker, the third annual report stresses more effectively than ever the necessity for an independent, objective and comprehensive inquiry and consideration of all tangible solutions. Experience has repeatedly shown that and inquiry can be obtained only by means of an independent and broadly based Interoceanic Canal Commission as contemplated in six bills now before the Congress, introduced by Representatives ANDERSON of Tennessee, BASS, HOSMER, RARICK, and myself.

PRIDE, INC.

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. SELDEN] 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 Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, I have today written the Secretary of Labor, the Honorable Willard Wirtz, requesting information regarding a news report yesterday, August 14, to the effect that an organization known as Pride, Inc., subsidized by a Labor Department grant, held classes in the District of Columbia on the subject of Negro history. According to this news report, members of the organization marched to these classes, which were conducted by Marion Barry. The announcement was made by Rufus Mayfield, authorized by the Labor Department to serve as chairman of Pride, Inc.

Considering recent developments in Nashville, Tenn., where "Negro history" classes held under an OEO community action grant were found to be teaching doctrines of race hate, I have asked Secretary Wirtz for information regarding the Department's knowledge of the Pride, Inc., classes. I have also requested information regarding the nature of the curriculum of these taxpayer-subsidized classes and the degree of Department of Labor supervision over same.

As I stated in my letter to Secretary Wirtz, it seems to me that the expenditure of Department of Labor funds for educational, quasi-educational, or propaganda purposes of this type is a questionable procedure.

I believe a full report on the question of Marion Barry's and Rufus Mayfield's so-called Negro history classes is a matter of immedate public concern.

NORTHEAST CORRIDOR RAPID TRANSIT

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FRIEDEL] 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 Alabama?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, in the last Congress my Committee on Interstate and Foreign Commerce handled the enabling legislation for a high-speed ground transportation system for the northeast corridor. We authorized Federal partnership with a railroad company to modernize tracks, rolling stock, and passenger services. At the time, the only company willing to bid was the Pennsylvania Railroad. I am happy to note that operations are scheduled to begin October 29 with the funds authorized by my com-

mittee and heavy financing by the railroad itself.

It has been many years since we have seen such an imaginative transportation project in this part of the country. The experimental Metroliner is an outstanding example of the combination of public spirit, business foresight, and Federal cooperation needed to improve our transportation system.

The Pennsylvania Railroad has invested heavily in this project, in the hope that it will add substantially to both public service and company revenues. With intermediate stops, a trip between Washington and New York will take less than 3 hours. As we all know, an air trip to New York can easily take that long, counting the delays we face getting to and from the airports and waiting around in terminals. I take this opportunity to commend Mr. Stuart T. Saunders, chairman of the Pennsylvania Railroad Co., for his imagination and foresight in undertaking this project, which is such an important step in planning and developing a form of rail transportation in line with 20th-century standards of passenger travel. I hope that the revenue figures from Pennsylvania Railroad's new service will convince other railroads of the soundness of his stand and encourage parallel improvements in urban strips similar to the northeast corridor.

I congratulate Mr. Saunders and his company on their massive effort to improve equipment, personal services, and ticketing arrangements. There was a very interesting article in the August 1 issue of Forbes magazine about the new Metroliner and I ask unanimous consent to have it inserted at this point in the RECORD because I am sure it will be of great interest to my colleagues.

The article follows:

HERE COMES THE METROLINER

A decade from now Stuart T. Saunders, chairman of the Pennsylvania Railroad Co., is going to be either 1) an industrial prophet who flew in the face of the general wisdom and turned out to be stunningly right, or 2) a stubborn man who wasted $45 million of stockholders' money on a project that most of his peers thought foolish.

Nearly every major railroad in the country is working overtime to get out of the passenger business. The Pennsy is going the other way. Under Saunders' direction the Pennsy has virtually rebuilt its 226-mile New York-to-Washington line, retrained 4,000 employees and put cash on the barrelhead to order 50 shiny new Budd Co. self-propelled passenger cars. All this to get some of the passenger business back from buses, airplanes and autos.

In less than 12 weeks—on Oct. 29, to be precise—the Pennsy's new Metroliner train will begin its nine round trips daily between New York's Penn Station and Newark, Philadelphia, Baltimore, and Washington's Union Station. The time; about 2 hours 55 minutes—40 minutes under the fastest present schedule and over an hour faster than most present trains.

The Big Picture. Cheering from the sidelines and helping with some cash is the Federal Government. It is dismayed by the growing cost of providing airports and highway facilities. Washington is looking for less costly ways to take care of the swelling army of travelers. In the East, the railroads offer an especially tempting solution: The rights-of-way are in place, the terminals are located handily in the center of the cities, their potential carrying capacity far exceeds that of either airplane or highway.

"In those areas where the megalopolis is becoming a reality," says New York Central Vice President Wayne Hoffman "you're just plain running out of land. There's a limit to the number of eight-lane highways you can build, and the same thing is happening with airports. So the Government is being driven back to railroads, which already have the rights of way and the equipment. After all, it takes eight lanes of highway to match the capacity of one rail, and it costs $25 million and more per mile to build these highways."

But in a speed-conscious era, the public has deserted the rails. Jets fly Washington-New York in approximately 45 minutes. Why waste even three hours on a train? But the jets are being slowed on the ground, not in the air. In the big cities it often takes over an hour to get to the airport and as much to return, not to mention delayed takeoffs and landings.

Thus a 45-minute air trip between metropolitan areas often becomes three hours, total travel time.

LIMITED GOALS

The Government and the Pennsylvania are not looking to put either automobiles or airlines out of business. Trains can compete only on medium-range runs—say 350 miles or less—where time lost getting to and from airports and waiting for planes to take off and land tend to cancel out the plane's speed.

The long range will still belong to the jet—and a good part of short-distance travel to the auto. But somewhere between the plane and the car, travel experts think there is a place for fast, comfortable trains—but no one will ever know without a trial. This Saunders and the Pennsy are doing.

How fast can trains go? Technologically, much faster than they are now running. This has been proved in Japan, where the new Osaka-to-Tokyo train today covers 320 miles in 3 hours and 20 minutes time, averaging 96 miles an hour.

What the Japanese can do, the Americans can do, technologically, at least. The missing factor is money. The Japanese poured $1.6 billion of government-backed money into the Tokaido train. In the U.S. neither private enterprise nor the Government is presently disposed to spend anything like this on what the public sees as a lost cause.

That's where the Pennsylvania comes in. On the Pennsy's New York-to-Washington run, the rails are already in place, and already electrified. (This is the longest stretch of passenger-service electrified right-of-way in the U.S.) The line runs through a densely populated industrial area where airport space is in short supply and highway building costs prohibitive. Here Pennsylvania could bring railroad passenger travel at least part way into the 20th Century.

The total cost will be about $56 million. About $11 million of this will come from the Federal Government—about all that the Johnson Administration could wring out of a skeptical Congress. The rest will be Pennsy stockholders' money.

The cars that will ride the rebuilt rails have already been tested at speeds as high as 157 miles an hour. Their regular top speed, however, will be 110 miles an hour. But if the present train draws enough business, money probably will be forthcoming for the rerouting and track changes needed to bring the Washington-New York time down close to two hours.

The Government's strategy is clear: If the Metroliner proves popular, other areas will clamor for similar service: Boston to New York; Chicago to Milwaukee; Los Angeles to San Francisco; Dallas to Houston. All this will cost big money—but less, the Government feels, than building equivalent additional air and highway facilities. Says A. Scheffer Lang, the Department of Transportation's Railroad Administrator: "If this train works the way we think it's going to, it could make a lot of our programs much easier."

WORRYWARTS VERSUS WASHINGTON

The Pennsy has experimented with passenger panaceas before. In the late Fifties, it sank $500,000 into GM's Aerotrain and lived to regret it. Now critics are charging Saunders with throwing good money after bad—and not $20 million as originally announced, but $45 million and perhaps more. What if the customers still cling to planes and autos?

It's no secret, moreover, that other railroads, including the New York Central, Pennsy's merger partner, have expressed grave doubts about the economic feasibility of the project. Most railroadmen would dump all their passenger trains tomorrow if the Interstate Commerce Commission would let them. But Saunders is unimpressed. "The opinions of other railroaders on this thing aren't worth a damn. They haven't got a Washington-New York corridor, and we do. Sure we're going to make money. Why do you think we've gone into it?"

Saunders argues that his railroad's risks aren't as great as they appear. The Department of Transportation helped the Pennsy get a tax break on the necessary rail, ties, ballast, electrical equipment and cars. Instead of charging the cost of road bed and rolling stock to current expenses in the normal railroad fashion, the Government and rail experts say Pennsy will be permitted to capitalize and spread the cost. Then, too, Pennsy would have had to spend large sums improving its corridor line anyway. Now it has done so, with Government help, and sharply cut maintenance costs in the process.

"The equipment is really designed to *make* money," says Pennsy Corridor Project Chief John B. Dorrance Jr. "We have electrified cars that lend themselves to automation, high utilization, and real economies in making up trains. Trains can be tailor-made to fit the traffic on any given time of any given day. We can run a four, six, ten or twenty-car train if we have to." Says Saunders: "We're making a little money on this run now, with obsolete equipment. With this new stuff we'll be able to junk the 45-year-old cars and obsolete locomotives. We'll save millions in operating costs.

There will be nine round-trip Metroliners a day, average 80 mph and stopping at five cities along the way. When two new suburban stations open next year, passengers will be able to go by rail from suburban Washington to New York, or suburban New Jersey to Washington, in about two hours—faster than any other mode of transport. "There's no place in the country," says Dorrance, "with such market potential."

MAKING A MARKET

In early October, a massive advertising campaign will open the Pennsy's drive to create a major new market. To assure that the new customers become satisfied customers, the Pennsy has every intention of breaking with hidebound traditions of the railroad industry. For one thing, the corridor train will probably be covered by the major credit cards making it easier for the traveler to buy a ticket on the train. Further, 4,000 special corridor train employees are being trained in the care and pampering of customers. The entire train crew and ticket personnel are slated for new uniforms, and club car attendants may even blossom out in orange and black blazers. "There will be no more striped engineers' hats, no more mortician costumes for conductors or white coats for porters," says a DOT official.

A normal train of ten cars (starting in December) will include two deluxe club cars where meals will be served at the seat free of charge. Every other coach will have a Buffeteria where passengers can buy sandwiches,

soup, and beverages, soft or hard, to bring back to their seats. The price will be the same as current coach (price $10.65 one way) and parlor car fares ($19.97), plus a dollar or so experimental surcharge. Each food car will have phone booths where pasengers can make calls en route. Seats will have individual lights and piped music.

Will all this draw passengers in volume? The present passenger volume is 20,000 a day, exclusive of commuters. Pennsy experts predict a 40%-50% gain in corridor traffic by the end of next year. Aside from New York-to-Washington passengers, the Pennsy expects to draw business between the various intermediate points—where air travel is often inconvenient. Saunders says, "People worry about whether we're going to fill these trains. I worry about the problem of standees."

If Saunders is right, U.S. businessmen and vacationers can look forward to easier and more comfortable travel in the next decade—and the railroads will find a new source of business for their valuable but underutilized rights-of-way. If he's wrong? Then, the Pennsy will lose some money. But was there ever progress without some risk?

THE CHRISTIAN SCIENCE MONITOR ENDORSES PRESIDENT JOHNSON'S REQUEST FOR A TAX SURCHARGE

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] 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 Alabama?

There was no objection.

Mr. BOGGS. Mr. Speaker, President Johnson's request for an increase in both individual and corporate income taxes "was inevitable and is right," the Christian Science Monitor said in an editorial this week.

The paper declares:

It is right that the present generation pay for the Vietnamese war and not bequeath such payment to future generations of taxpayers.

It continues:

It is equally sound that the problem of the growing budget deficit be tackled now and not left to the probably vain hope that it will straighten itself out in the future. And few would deny that if a surcharge on present income taxes will help slow down the inflationary spiral, such a surcharge then becomes a vital necessity.

The Christian Science Monitor concludes:

There is little doubt but that the national economy can carry a sizable surtax. Business is good and could shortly become better. Personal income is at a record high.

This editorial provides the most cogent explanation and justification for the President's tax request that I have yet encountered.

Under unanimous consent, I insert it in the RECORD.

THE NEW TAX

President Johnson's request for a sizable increase in both individual and corporate income taxes was inevitable and is right. If there is any question still to be resolved, it is whether the present situation (the cost of the war in Vietnam, the size of the budget deficit, and the threat of still greater inflation) requires a 10 percent surcharge, or whether a smaller 6 or 8 percent would suffice.

It is right that the present generation pay for the Vietnamese war and not bequeath such payment to future generations of taxpayers. It is equally sound that the problem of the growing budget deficit be tackled now and not left to the probably vain hope that it will straighten itself out in the future. And few would deny that if a surcharge on present income taxes will help slow down the inflationary spiral, such a surcharge then becomes a vital necessity.

In regard to this last point, one thing strikes us as essential. This is that, if a tax increase is needed to fight inflation, then it is doubly important that all other inflationary aspects of the economy be kept under strict control. Foremost among these latter is the tendency of labor to demand higher and higher wage increases (most of them going well beyond even today's liberalized wage-price guideposts) and the tendency of business to pass along increased labor costs to the public. If the average citizen is asked to pay substantially higher taxes, then the government has a moral obligation to use greater pressure to keep wages and prices at sensible levels.

We note that the White House has asked that the additional taxes on business be retroactive to July 1, whereas the new taxes on individuals would not begin until October 1. If this is being done for reasonable administrative reasons, fine. If, however, it is being done for political reasons, we believe that this is a poor way to begin a program of national emergency.

Although there have been hints of late that the White House would ask for a 10 percent surcharge, it would be well for Congress to study the situation carefully before agreeing. While the cost of the war and the size of the budget deficit is now larger than earlier anticipated, the jump from the 6 percent mentioned at one time to 10 percent is an increase of some two-thirds. This will take some strong justifying, if the 10 percent is actually the White House goal and not merely a bargaining position.

There is little doubt but that the national economy can carry a sizable surtax. Business is good and could shortly become better. Personal income is at a record high. But new taxes are never popular. They may, in fact, speed efforts to find an end to the war that is causing them. If so, this could be their single greatest justification

REPUBLICANS WEASELING ON RATS

The SPEAKER pro tempore (Mr. GONZALEZ). Under previous order of the House, the gentleman from New York [Mr. RESNICK] is recognized for 30 minutes.

Mr. RESNICK. Mr. Speaker, the Republicans are now trying to weasel on rats.

A few weeks ago, the Republicans thought a program to control rats in slum areas was exceedingly funny. And when they were through laughing, they defeated the administration's bill.

But the American people were not amused by their performance. So the GOP is now trying to extricate itself like certain well-known animals deserting a sinking ship.

Last Saturday, for example, the gentleman from Nebraska stated there is no need for legislation to control rats because the Government already has sufficient programs in effect.

Apparently what the gentleman thinks are sufficient programs amounts to a few widely separated efforts administered by different agencies—all of them extremely modest.

HUD is involved in rat extermination. Their urban renewal program money is granted for poisons used during demolition of unsafe structures. They have spent only about $250,000 in fiscal 1967 for rat extermination.

OEO has made the largest amount of funds available for rat extermination—$3.1 million—in a recent grant to Chicago under the Community Action Program. This is a one-shot program and funds will not be allocated to other communities.

The Department of Agriculture offers technical assistance to farmers on how to exterminate rats and other rodents. And the Interior Department is involved in a modest program of research on rodenticides and other similar studies.

HEW also provides technical assistance, conducts demonstrations on rat control and operates a field station in San Francisco.

This is the total Federal effort to control rats at the present time. It is diffuse and obviously lacking a strong effort to rid the slum areas of our Nation from the terror and disease of rats.

But apparently the gentleman from Nebraska thinks otherwise. He seems satisfied that the Government is doing enough. And he has reached this incredible conclusion after checking to see what exactly is being done—and seeing how pitifully small and uncoordinated prosent efforts are. The debate on the rat control bill produced a full quota of "sick" jokes and sarcastic remarks intended to be clever and funny. I don't know who these so-called jokes were supposed to entertain, but I'm sure that not one diseased or bitten child laughed his way to the hospital.

To some Republicans, rats may be a subject for low comedy. But how intelligent and perceptive does anyone have to be to see the obvious links between rats in the tenements and riots in the streets. Those who wring their hands in anguish waiting for the end of the "long hot summer" would do well to concern themselves with the deep-rooted causes of these disturbances.

As I said earlier today, 2 weeks ago I criticized the Republican Party for defeating the rat control bill, and took issue with statements of the gentleman from Iowa. In opposing rat control legislation, he told this body that he knew he was on the right side of the issue because President Johnson and I were on the other side. I accept this compliment with appreciation. But the distinguished gentleman from Iowa regrettably left the impression—unintentionally, I am sure—that he is on the opposite side—and there is only one opposite side—the side of the rats. After all, you are either against rats or for them. I would like to know how you cannot be against rats, without being for them. I hope that my distinguished colleague will take this opportunity to answer this question for me and clarify his position.

The Republican Party has shocked the Nation with its callous indifference to human suffering and human needs. It has opposed one constructive program

after another to raise the quality of American life. The rat control bill is a perfect example of their attitude toward all such legislation. They defeated the bill, but they have done nothing so far to produce one single, constructive alternative idea to rid America's slum areas of rats.

Now, Mr. Speaker, when I made my statement 2 weeks ago, the distinguished gentleman from Iowa [Mr. GROSS] criticized me because I made my remarks but did not notify the gentleman in advance of having made such remarks.

Now, Mr. Speaker, I have notified the gentleman that I was going to be here today and that I was going to be here to discuss the issue, because, as I pointed out earlier, I for one, do not like to be in a position to appear to the American people that colleagues of mine would vote in what apparently seems to be on the side of the rats. Therefore, I deeply regret that the gentleman from Iowa is not here today to discuss this problem. I would be very happy to further discuss the problem, if the gentleman from Iowa would pick another time. I certainly would try to be here.

Also, Mr. Speaker, I would like the Members of this body to know how concerned the people of the State of New York are about this problem. I feel that all of us remember the fact that Governor Rockefeller is instituting a program of rat eradication. I believe it provides and carries the provision for the expenditure of the sum of $4.5 million with which to exterminate rats. But this applies only to our major cities, cities such as mine, which have the same rate problem. Unfortunately, other cities will not receive any of these funds.

Mr. Speaker, it is my opinion that this transcript, which I ask unanimous consent to enter into the RECORD at this point, deserves firsthand eyewitness information about how rats affect us in the State of New York.

The SPEAKER pro tempore (Mr. GONZALEZ). Is there objection to the request of the gentleman from New York?

There was no objection.

(The matter referred to follows:)

EIGHT MILLION NEW YORKERS ARE RATS

Guests: C. C. Johnson, Asst. New York City Health Commissioner; Roy Rattray, Brooklyn Anti-Poverty Worker.

Written and produced by: Mike Stein.

C. C. JOHNSON. I believe that there's a very serious rat problem here in New York. I would hazard a guess that there are probably as many rats as there are people here in New York City.

ANNOUNCER. Sunday News Closeup. Tonight: "Eight Million New Yorkers Are Rats."

STEIN. Good evening. This is Mike Stein. On the afternoon of Thursday, July 20th, the Speaker of the House of Representatives recognized Congressman Spark M. Matsunaga, a Democrat of Hawaii. Matsunaga then introduced House Resolution number 749, a resolution asking the House to consider the Rat Extermination Act of 1967.

In his opening remarks, Matsunaga said, "Mr. Speaker, I believe we can have a lot of fun with this bill. I am sure there will be humor injected into the matter throughout the debate. Some may call it the Second Anti-rat Bill. Others may call it the Civil Rats Bill. Still others may insist that we should make this applicable to two-legged rats as well as four-legged ones. And there may be those who claim that this is throwing money down a rathole.

"But, Mr. Speaker," said Matsunaga, "in the final analysis there is a serious side to this proposed legislation." The Congressman's fears of sick humor being injected into a serious debate were prophetic. For the next hour Congress proceeded to laugh the Rat Extermination Act of 1967 out of the House. We wonder tonight whether the Congressmen who so heartily guffawed and chortled the rat bill to death would have laughed so hard had they come to some sections of New York.

ROY RATTRAY. If half of these people in Brownsville would know how serious it is to live with rats, it would scare the life out of them, because rats carry diseases . . .

STEIN. The man is Roy Rattray, an anti-poverty worker with Project Rescue in the Brownsville section of Brooklyn.

RATTRAY. Rats carry toxic diseases like trichinosis, rabies, bubonic plague, and also a thing called rat fever which is very common around here, which doctors apparently call a virus. To them it's just a virus, because half the doctors around here don't know what a rat fever is, and things just get worse and worse every day.

STEIN. Mr. Rattray, how many rats are in this neighborhood?

RATTRAY. I would say three million rats in Brownsville alone.

STEIN. How serious is it in terms of the number of people who have been bitten? Do you have many cases of rat bites here?

RATTRAY. Oh, yes, but I'm not worried so much about the complaints that we have had. I'm worried more about the complaints that we have never gotten—the people who have been bitten and take it for granted that this is a normal way of life, that they're supposed to live with the rats and be bitten by them and that nobody is supposed to say anything about it, see? They're not to complain; if they complain to the landlords, the landlords figure, "Well, you were the one who caused it. You're the one who's piled the garbage up, and so I don't live there so I'm not responsible and I don't care."

But this is—somebody got to care. Somebody is going to have to care sooner or late, and I care; and if I can care, damn it, I'm sure there's a lot of other people should care.

I know how cunning these rats are and how hard it is to kill them. But we have to make a drastic move and a combined move towards killing them. It can be done, block by block, building by building, and make sure that we get rid of these damn rats. But if you want to start killing rats in one building here, one building across the street or one in the next block, you'll never do it. You'd only chase the rats from one place to the other.

STEIN. You say these rats are cunning and vicious?

RATTRAY. They're very cunning, very cunning. They have a very high intelligence. When you look, if you're not careful—you put a child to sleep without washing his face properly—maybe the child is tired and you don't want to be bothered to wash his face—so what happens? There's milk left on his lips, the rat will come in the cage and gnaw on that man baby's lips, and next thing you know he's—next morning he get up, he's got a rat bite.

We're sick and tired of people calling back day after day, asking, "What are you doing about correcting our conditions here?" and we cannot give them the answer. So where is the answer coming from? Where is it supposed to come from? Can you tell me?

STEIN. The Congressional Record: House of Representatives, July 20th, 1967, page 19549. Representative James Haley, Democrat of Florida, quote: "Mr. Speaker, I wonder some time if our distinguished committees that bring before us a monstrosity such as this would just take into consideration the fact that we have a lot of cat lovers in the nation, and why not turn them loose on the rats? And thereby we could take care of the situation without any of the 25 million dollars from the Federal Treasury of the United States," end quote. There followed several seconds of general laughter.

RAPHAEL. Well, rodents usually come out at night and prefer the darkness, and unless you have a very, very heavy infestation you will rarely see them during the daytime. But we look . . .

STEIN. Murray Raphael is the Director of the Rodent Control Program for the City Health Department, and on this day he and a team of exterminators are going through a tenement in downtown Brooklyn, spreading small packets of corn meal and sugars mixed with rat poison.

RAPHAEL. We look for their evidences: the droppings, the gnawings, burrows, rodent smears from their fur that will leave oil lines on the woodwork; and on the basis of the evidence that was found here, we know that this building is rat-infested.

STEIN. How many rats might be in a building like this?

RAPHAEL. Anywhere from a half a dozen to several dozen, perhaps.

The overall sanitary conditions here are not very good. The exterminators have placed some of the poison bait behind the stove and alongside of the refrigerator here. In addition, we baited the bathroom. There's a big hole or break right in the back wall at the junction of the floor, and the anticoagulant bait has been placed within the confines of the hole. There's another bait station with bait underneath the bathtub.

STEIN. The rats have been around in this bathroom—what happens if the person goes into that at night?

RAPHAEL. They may see a rat and may become frightened, and with the small youngsters here there is a possibility or a chance that a youngster might be bitten.

STEIN. The litter-filled smelling basement of the building is even worse.

What about this basement in here?

RAPHAEL. Well, this has an accumulation of food here as well as disused materials, and a lot of this so-called junk or rubbish is a place in which the rat can nest and build a home. In addition, if you will notice, there's a water leak here and this is a source of water which the rat needs badly in order to exist. So we're giving the rat the conditions conducive to his existence here, and they have all of the ideal conditions under which to survive in a cellar just like this.

STEIN. How many packets of rat poison would you have to put out to clear this building?

RAPHAEL. I would say in a basement like this, where we put a bait packet every three or four feet apart, that we would put anywheres from 20 to 40 baits in a cellar like this alone. In an apartment we put a minimum of four baits in each apartment.

STEIN. That means you're putting 50 or 60 baits, rat poison packs, in this building.

RAPHAEL. Pretty close to it. I would say.

STEIN. It's what you need to get rid of these rats?

RAPHAEL. That's right, just to keep the condition under control and try to prevent any of these youngsters in the building from being bitten.

STEIN. Are rats fairly smart animals?

RAPHAEL. A rat is a very shrewd animal, yes. It's considered a comparatively intelligent animal. Normally a rat will live for approximately a year. A rat will have a litter of anywheres from one to 20 or so young at a time, and it will have anywheres from three to four litters at a minimum each year. Some of these rats are anywheres from about a foot to a foot and a half in size, weighing approximately a pound or a pound and a quarter. Sometimes they've run even larger than that.

STEIN. What kind of teeth?

RAPHAEL. They have teeth that they have to keep active. Their teeth have to gnaw on something all the time, and that's why they will gnaw on wood, for example, and we prefer, in having a property owner install a stoppage or plug up a hole, that he use a good heavy-gauge metal that the rat cannot gnaw through.

STEIN. What about concrete?

RAPHAEL. If the concrete is rather thick and solid, it usually will stand up. But in many instances, if it's thin, if it's freshly laid, they will even gnaw through concrete.

STEIN. From the Congressional Record of July 20th. Representative H. R. Gross, Republican, Iowa, quote: "Who is going to run this program? Is there not going to be a high commissioner or administrator of the rat corps? I am constrained, Mr. Speaker, to believe the program is devised to take care of some more broken-down political hacks. Mr. Speaker, if there is anything this country does not need to be plastered with at this time is (sic) a rat-killing deal at a cost of 40 million dollars."

JOHNSON. Rats have always been a public health menace . . . .

STEIN. Charles C. Johnson, Assistant Commissioner, New York City Department of Health.

JOHNSON. They are known in the past to have carried bubonic plague. They were a major problem during World War II in this country in terms of typhus. These two diseases are carried by the flea from the rat to man. Fortunately, the conditions are not such now that they are a major threat to New York City. However, the fact that our servicemen overseas are fighting in areas that do have these diseases, it very well could be introduced at any time. As such, we could have an explosive condition.

STEIN. How is bubonic plague, for instance, transmitted through rats?

JOHNSON. It's transmitted by the flea, ctenocephalic cheopis (?), that bites the rat that is a reservoir for the disease and then bites a human being or is transmitted to that human being.

I might say that a more possible association between the rats and disease we have had some experience with in New York City—leptis barosis (?), which is a disease that induces a fever in the victim, can be passed on from the rat to an individual indirectly through the urine. It contaminates either food or utensils in which food are (sic) prepared. Also, rat bite fever is a possibility. Finally, the rat is a reservoir also for salmonella organisms, and certainly if the rat droppings infect kinds of foods in which this organism survives, why, this disease, salmonellosis, can be passed on from the rat to humans.

STEIN. What kind of a disease is that?

JOHNSON. Salmonellosis is a food-borne disease that's bacterial in origin, affects the individual with vomiting and diarrhea, nausea.

I think it's important to realize that rats migrate through the city sewers, and the sewers actually maintain perhaps a sizable population in terms of rats. This is how they get into some of the better areas, even those that on the surface have a high degree of good sanitation. The luxury-type areas are not immune, because the sewers do provide highways and access to all areas of the city.

STEIN. From the Congressional Record. Representative Joel T. Broyhill, Republican, Virginia, quote: "Mr. Speaker, I think the most profound statement made is the fact that this act sets up a new bureau and sets up possibly a commissioner on rats or an administrator of rats and a bunch of new bureaucrats on rats. There is no question but that there will be a great demand for a lot of rat patronage. I think that by the time we get through taking care of all the bureaucrats in this new rat bureau, along with the waste and empire building, none of the 40 million dollars will be left to take care of the 2½ per cent of the rats who were supposed to be covered in the bill. Mr. Speaker, I think that the 'rat' smart thing for us to do is to vote down this rat bill 'rat' now," end quote. General laughter.

SIMS. Mr. Rattray, I'm from the Health Department. Inspector Sims is my name. I came about a complaint on Grafton Street, number 14, I believe.

RATTRAY. Yes, that's the number of the building, yeah.

SIMS. I see. Could you give me some idea what the problem is?

RATTRAY. I was over at the building . . .

STEIN. A Health Department officer has come to Brownsville to inspect a building that has been abandoned by its landlord. No one is left to take care of it. Garbage piles up. Rats have infested it. And now nearly all of the 20 or so children in the building have been bitten, their arms covered with sores.

RATTRAY. Finally, there is an epidemic about to start here. Finally there is an infestation of fleas, bugs or rats here. We have found signs of rats in this building. There's a lot of rat holes, and when you visit each of these apartments and you ask the people what's wrong, they tell you, "Look, just look at my child's hand and that will give you an answer."

Now, I've examined several of these children. I'm not a doctor, but it doesn't take a doctor to see that something is wrong.

Now, here you can see for yourself. This child has been bitten by something. Whether it's a rat or whether it's a flea or whether it's a bug I don't know. I've asked the Health Department to look into this matter, and whether or not there's a plague about to take place I wouldn't know. So let's find out what is this sickness that these children have?

STEIN. (To boy) What happened to you? Do you know?

BOY. It bit me.

STEIN. Something bit you. Do they hurt?

BOY. Yeah.

STEIN. Quote from the Congressional Record. Congressman Delbert L. Latta, Republican, Ohio, quote: "I may say that this bill also discriminates against persons suffering from bites from other animals. How about the snakebite cases? If we are going to start eradicating all rats, how about snakes in the West? How about bugs? You can go into homes in apartment buildings here in the City of Washington and find bugs galore. What are you going to do about the bugs? Are we to forget about the people bitten by bugs? Should we start a bug corps?" More general laughter.

JOHNSON. I believe that there's a very serious rat problem here in New York. We have many, many areas in which . . .

STEIN. C. C. Johnson, Assistant Health Commissioner of New York.

JOHNSON. . . . the garbage accumulations on vacant lots, the garbage behind buildings, the street conditions where we're unable to provide the kind of waste removal and street cleanup that we would like to have for a city of this size certainly support the idea that we have a large rat population, because all the conditions that you need to support this population are there.

STEIN. How many rats in New York?

JOHNSON. This is something that is a matter of conjecture. I would hazard a guess that there are probably as many rats as there are people here in New York City.

STEIN. Can you get rid of them with putting out poison like this?

JOHNSON. No, this is only one aspect of a total rodent control program. Perhaps more important than the baiting itself is removing the kind of conditions that support the propagation of rats. By this I mean we need to remove the food, the water and the shelter. It means that we have to improve our Sanitation Department's ability and give it the kind of support it needs to carry away the wastes that a city develops, because much of the kind of support that a rat needs can be found in the streets and gutters of the City of New York.

STEIN. Mr. Johnson, how far will the program signed by Governor Rockefeller this past week go to helping the rat situation in New York?

JOHNSON. Well, certainly it will be a *big* step in helping New York initiate an improved rodent control program. It falls far short, I expect, in terms of the total needs of the program. We need to plan a program on a continuing basis and not on a one-shot basis, such as was undertaken some years ago, I understand, when the Mayor appropriated a million dollars.

The rats breed rather quickly and the conditions under which rats breed are existent every day, and you have to take continual surveillance and certainly continual vigilance in your war against rats.

STEIN. How much money would it take?

JOHNSON. A program over the next ten-year period ought to be priced, within the Health Department for that aspect it's concerned with, somewhere in the neighborhood of two to three million dollars a year. In addition, as I said you have to give added support to the Departments of Sanitation and Public Works—they're street departments—so that their aspects of this program can also receive the support that it needs.

STEIN. From the Congressional Record, Representative Samuel L. Devine, Republican, Ohio, quote: "Mr. Speaker, inquiry through local dealers indicates rat traps sell for $3.30 per dozen, or about 28 cents each. A pretty fair brand of cheese costs 49 cents per pound and would bait 35 traps. So for an extremely small personal investment, nearly every citizen can cooperate and eliminate this problem, and at the same time save our government 40 million dollars.

"Finally, one of our respected colleagues tells me he has about 23 cats in and around his barns, all of which he will make available to the Department of Housing and Urban Affairs without charge. These feline rat-catchers are most effective, particularly since they are led by a highly respected tom cat called Cotton that has earned a most enviable reputation in the rat-catching department," end quote. More laughter on the floor of the House.

RATTRAY. This is Amboy Street between 15th and Sutter. This is one of the most hazardous blocks . . .

STEIN. Another street in Brownsville. A fire hydrant has broken, has been gushing water out full blast for over a week. This block is a lake, and gutters four and five blocks away are backed up and overflowing.

RATTRAY. Getting worse and worse for the last, I'd say, two or three months, because we've had excessive fires in here, with the result people are moving out, and as fast as they move out they throw their rubbish from their building into the empty buildings across the street, which is only creating more rats and a home for more rats.

The kids go up the end of the street and they open the hydrant, because there's no one left in the block more or less to control these kids. So they go up and they open the hydrant, they use a wrench, and eventually the top of the hydrant becomes worn off and it stays running for days and days—with the result of that, the sewer gets blocked up and floods the sewer lines in the buildings. And the buildings gets flooded and the rats starts to run from the cellars into the people's apartment, and it just gets worse and worse.

I mean I don't know what the answer is to this or what can be done. You call these different agencies in to try and help, and

everybody tells you, "Yes, sir, we'll be there," but they never come.

But you call, you call these fellows five, six, seven, eight times in a week and nobody shows up. Why? Why is it? Why is *this*? Why should they take so long? In the meanwhile, there is six or seven buildings here, *these are flooded*—there's feces running all over the place, floating in the cellars, and rats running across the street here—the very Sanitation truck is running over the rats and crushing them to smithereens and they do nothing at all about it—and I go to the office and I call the Sanitation Department to come and help, and they tell me, "Look, *boy*"—so and so.

Look, there's too many guys calling us boys around here, and if they would realize that there's some men around here who's actually interested in trying to help, then—the sooner they learn, the better it would be for them.

STEIN. Are you getting rats in these cellars?

RATTRAY. Oh, yes. The rats are coming out. Once the basement gets flooded, the rats start to run out, because these are not actually sewer rats. The most of them are house rats.

STEIN. What's going to be done now?

RATTRAY. Well, we're trying our best. The Neighborhood Youth Corps is working and trying to help in cleaning up the mess here. You see the group of fellows working right here. They're trying to clean out this building here, and so is everybody who's trying to help. I'm helping and everybody is helping. Even the landlords around here are trying to do their best, because they see the serious situation that's taking place here.

This is the problem. I mean something has to be done, and done real fast—not today—not tomorrow but yesterday.

STEIN. This water has been running down the street like this . . .

RATTRAY. This has been running for days. For days it's been going on.

MAN. There's a broken hydrant up the street.

RATTRAY. Because there's a broken hydrant up there, and you call the cops and they tell you there's nothing they can do about it because it's broken, and until they get a top on it. In the meanwhile, there's millions of gallons of water going down the drain here. If they ever have a fire around here, which of course there's likely to happen any minute, well, we wouldn't be able to put the fire out because we haven't got enough water pressure.

I live in this neighborhood. I got a home here. And damn it, I just look forward to the day when my building is going to go on fire and there won't be enough water to put it out.

What about the other hundreds of families around here, people with five and six kids who live in an apartment? There is not the proper housing provided for them, and the hallways are full of garbage, the alleyways are full of garbage, and they're not able to escape in time.

STEIN. And breeding grounds of rats.

RATTRAY. That's right, breeding grounds of rats. These are rat farms here. They're not breeding grounds. These are—they actually have here a minimum of 200 or 300 rat farms created in the very apartments in these empty buildings, buildings where they have empty apartments—what with the winos going in, lighting the places, leaving wine bottles around to feed the rats. This is a problem we are faced with, brother. It's a serious one. Something has got to be done and done in a hurry.

STEIN. The Congressional Record. Representative H. R. Gross, Republican of Iowa: "Mr. Speaker, this bill is so ludicrous that we should not even entertain the rule. We should vote down the rule on this bill, and it is my hope the House will do just that," end quote.

STEIN. How did you feel when the House defeated the bill to exterminate rats?

RATTRAY. Oh, I was sick, I was really sick about it, because this is the most ridiculous thing I have ever heard of. When they can provide moneys for killing the screwworm in cattle in other states to prevent the loss of meat to the country—we really don't have to worry about a meat shortage in this country, because if we were only to figure a way out to treat these rats, we got enough rats here we could feed on for the next hundred years and not worry about it. We just breed them, because rats, you know, breed very fast.

STEIN. You felt pretty bad when Congress knocked this bill out.

RATTRAY. Oh, brother, as I said before, I was sick. I was sick, and believe me, I'm still sick and I will be sick until they do something about it, until they reconsider this bill and have it passed.

STEIN. Mayor Lindsay and Governor Rockefeller have stepped in to fill some of the vacuum created by the House, starting a rat control program that experts regard as a good first step in the City and State of New York. But it is only a first step.

The rat bill is not completely dead in Congress. It has now been incorporated into a housing bill currently before a Senate committee. If it clears the various committee hurdles in the Senate and gets final approval there, the House may get a second chance to discuss the Rat Extermination Bill of 1967. One would trust that the second time around, the Congressional sense of humor would have improved.

This is Mike Stein. Good night.

ANNOUNCER. Sunday News Closeup, "Eight Million New Yorkers Are Rats," was written and produced by Mike Stein. Executive Producer, Jack Pluntze. Technical supervision, Howard Epstein and Dave Silmer.

News Closeup is a public affairs presentation of WNEW and WNEW-FM, your Metromedia stations in New York.

Mr. RESNICK. Mr. Speaker, this very fine program was done by one of our leading radio stations, WNEW, in New York, and it was titled "Eight Million New Yorkers Are Rats."

I am sure the Republicans are going to find something very amusing about that title also. Unfortunately, the human New Yorkers who have to live with these terrible creatures will not find it funny.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TENZER (at the request of Mr. RESNICK), for August 15, and the balance of the week, on account of a personal family matter.

Mr. MCCULLOCH (at the request of Mr. GERALD R. FORD), for August 15, 1967, 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. PIKE, for 10 minutes, today.

Mr. DUNCAN (at the request of Mr. ZION), for 1 hour, to revise and extend his remarks and on August 16; to include extraneous matter.

Mr. POLLOCK (at the request of Mr. ZION), for 5 minutes, to revise and extend his remarks today; and to include extraneous matter.

(The following Members (at the request of Mr. BEVILL) to revise and extend their remarks and include extraneous matter:)

Mr. RESNICK, for 30 minutes, today.

Mr. PIKE, for 30 minutes, on August 16.

Mr. EDMONDSON, for 15 minutes, on August 16.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. PERKINS.

(The following Member (at the request of Mr. ZION) and to include extraneous matter:)

Mr. DENNEY.

(The following Members (at the request of Mr. BEVILL) and to include extraneous matter:)

Mr. FISHER.

Mr. MULTER.

Mr. DELANEY.

Mr. MACHEN.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 95. An act for the relief of Capt. Rey D. Baldwin.

ADJOURNMENT

Mr. BEVILL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Wednesday, August 16, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1001. A letter from the Secretary of Commerce, transmitting a report of claims of employees for damage to or loss of personal property sustained by them incident to their service, during fiscal year 1967, pursuant to the provisions of 31 U.S.C. 240–243; to the Committee on the Judiciary.

1002. A letter from the Director, Central Intelligence Agency, transmitting a report of claims paid to members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, pursuant to the provisions of Public Law 88–558; to the Committee on the Judiciary.

1003. A letter from the Attorney General, transmitting a report relative to the joint resolution consenting to an interstate compact to conserve oil and gas, pursuant to the provisions of Public Law 88–115; to the Committee on Interstate and Foreign Commerce.

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. O'NEILL of Massachusetts: Committee on Rules. House Resolution 902. Resolution for consideration of H.R. 12080, a bill to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes (Rept. No. 555). Referred to the House Calendar.

Mr. CELLER: Committee on the Judiciary. H.R. 11993. A bill to amend the act of October 3, 1965 (Rept. No. 556). 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. BROWN of California:

H.R. 12350. A bill to facilitate the entry into the United States of aliens who are brothers or sisters of U.S. citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. COLMER:

H.R. 12351. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 12352. A bill to provide for the establishment of a national cemetery in Los Angeles County in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. FASCELL:

H.R. 12353. A bill to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clincial laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GIBBONS:

H.R. 12354. A bill to amend the Immigration and Nationality Act to authorize in the national interest, restrictions on travel by nationals of the United States in certain designated areas of the world; to the Committee on the Judiciary.

By Mrs. HANSEN of Washington:

H.R. 12355. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 12356. A bill to amend the Communications Act of 1934 in order to provide that product advertising shall not be deemed to constitute the discussion of issues of public importance; to the Committee on Interstate and Foreign Commerce.

By Mr. PRICE of Texas:

H.R. 12357. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to permit advance payments to wheat producers; to the Committee on Agriculture.

By Mr. ROYBAL:

H.R. 12358. A bill to amend the Public Works and Economic Development Act of 1965 to make certain metropolitan areas eligible as redevelopment areas; to the Committee on Public Works.

By Mr. SANDMAN:

H.R. 12359. A bill to provide for uniform annual observances of certain legal public holidays on Mondays, and for other purposes; to the Committee on the Judiciary.

H.R. 12360. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. SCHWEIKER:

H.R. 12361. A bill to facilitate the entry into the United States of aliens who are brothers or sisters of U.S. citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 12362. A bill to provide for the training and equipping of the National Guard in riot control; to the Committee on Armed Services.

H.R. 12363. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. ADDABBO:

H.R. 12364. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. ESHLEMAN:

H.R. 12365. A bill to amend the Economic Opportunity Act of 1964 to further limit political activity on the part of workers in poverty programs; to the Committee on Education and Labor.

By Mr. FRIEDEL:

H.R. 12366. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. GARDNER:

H.R. 12367. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 12368. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 12369. A bill to amend Public Law 815, 81st Congress, to permit a waiver or reduction of certain eligibility requirements where necessary to avoid inequity or defeating the purposes of the act; to the Committee on Education and Labor.

By Mr. REINECKE:

H.R. 12370. A bill to amend the Military Selective Service Act of 1967 in order to provide for the deferment of police officers from training and service under such act; to the Committee on Armed Services.

By Mr. SHRIVER:

H.R. 12371. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to any individual who may not make a joint return but maintains his own household as his home; to the Committee on Ways and Means.

By Mr. STUCKEY:

H.R. 12372. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. McMILLAN (for himself, Mr. NELSEN, Mr. BROYHILL of Virginia, Mr. SISK, Mr. BROWN of Ohio, Mr. STEIGER of Arizona, Mr. WINN, Mr. SPRINGER, Mr. HARSHA, Mr. MYERS, Mr. FRASER, Mr. JACOBS, Mr. ADAMS, Mr. MULTER, Mr. HAGAN, and Mr. FUQUA):

H.R. 12373. A bill to amend the act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia; to the Committee on the District of Columbia.

By Mr. CORBETT (for himself, Mr. McCLORY, and Mr. CARTER):

H.J. Res. 789. Joint Resolution to call upon the President of the United States to promote voluntary neighborhood action crusades by communities to rally law-abiding urban dwellers in preventing riots; to the Committee on Banking and Currency.

By Mr. HALPERN:

H.J. Res. 790. Joint resolution to establish a national housing goal; to the Committee on Banking and Currency.

By Mr. PELLY:

H.J. Res. 791. Joint resolution to call upon the President of the United States to promote voluntary neighborhood action crusades by communities to rally law-abiding urban slumdwellers in preventing riots; to the Committee on Banking and Currency.

By Mr. REINECKE:

H.J. Res. 792. Joint resolution to call upon the President of the United States to promote voluntary neighborhood action crusades by communities to rally law-abiding urban slum dwellers in preventing riots; to the Committee on Banking and Currency.

By Mr. SANDMAN:

H. Res. 903. Resolution to amend rule XXII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. WHITTEN:

H. Res. 904. Resolution to amend the Rules of the House of Representatives to create a standing Committee on the Constitution; 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. DIGGS:

H.R. 12374. A bill for the relief of Guillermo and Aleida Portuondo; to the Committee on the Judiciary.

By Mr. FLYNT:

H.R. 12375. A bill to provide for the conveyance of certain mineral rights in and under lands in Pike County, Ga.; to the Committee on Interior and Insular Affairs.

By Mr. HORTON:

H.R. 12376. A bill to require the Foreign Claims Settlement Commission to determine the amount and validity of the claim of Nathan Phillips against the Government of Poland, and for other purposes; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 12377. A bill for the relief of Lydia C. Gamboa; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 12378. A bill for the relief of Demetroula Georgiades; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 12379. A bill for the relief of Giuseppe Schiavo; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 12380. A bill for the relief of Waimir Turolla; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 12381. A bill for the relief of Heshmatollah Habibi; to the Committee on the Judiciary.

By Mr. SANDMAN:

H.R. 12382. A bill for the relief of Dr. Paulino A. Claridades and Dr. Lydia V. Claridades; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 12383. A bill for the relief of Augustino Dos Santos Freitas and Carmelina Freitas; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 12384. A bill for the relief of Paul Nuo-Pao Chow; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, and referred as follows:

145. The SPEAKER presented a petition of the American Baptist Convention, Valley Forge, Pa., relative to problems of Indian Americans in national affairs, which was referred to the Committee on the Judiicary.