H.J. Res. 109. Joint resolution designating the 17th day of December 1961 as "Wright Brothers Day"; and

H.J. Res. 499. Joint resolution authorizing a celebration of the American patent system.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. CLARK. Mr. President, I move, under the order heretofore entered, that the Senate adjourn until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 57 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Wednesday, September 13, 1961, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 12, 1961:

U.S. ATTORNEYS

William Medford, of North Carolina, to be U.S. attorney for the western district of North Carolina for the term of 4 years, vice James M. Baley, Jr.

William H. Murdock, of North Carolina, to be U.S. attorney for the middle district of North Carolina for the term of 4 years, vice James E. Holshouser, resigned.

IN THE AIR FORCE

Maj. Gen. William H. Blanchard, 1445A, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the rank of lieutenant general, under the provisions of section 8066, title 10 of the United States Code.

The following-named officers for temporary appointment in the U.S. Air Force under the provisions of chapter 839, title 10 of the United States Code:

To be brigadier general

Col. William B. Campbell, 2000A, Regular Air Force.

Col. Richard O. Hunziker 4164A, Regular Air Force.

Col. Larry A. Smith, 19176A, Regular Air Force, Medical.

Lt. Gen. Robert W. Burns, 527A, Regular Air Force, to be senior Air Force member, military staff committee, United Nations, under the provisions of section 711, title 10 of the United States Code.

Lt. Gen. Roscoe C. Wilson, 360A (major general, Regular Air Force), U.S. Air Force, to be placed on the retired list in the grade of lieutenant general, under the provisions of section 8962, title 10 of the United States Code.

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 12, 1961

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

This petition from the Lord's prayer (Matthew 6: 10): *Thy kingdom come.*

O Thou who art the Supreme Ruler of the Universe, inspire us to fix our minds and hearts upon that glorious time when the kingdom of the earth shall become the kingdom of our Lord and men everywhere shall own Thee as their Father and all their fellow men as brothers.

May we never become disheartened and lose sight of the splendor of Thy kingdom but help us to search diligently for signs and portents of that advancing day which tell us that truth and righteousness are marching on.

Grant that by the generous and gracious exercise of understanding and good will toward all men we may seek to remove those discords and dissensions among the nations which impede the progress of Thy kingdom and the fulfillment of our Lord's petition.

Hear us in His name. 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. McGown, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles (omitted from the RECORD of September 11, 1961):

H.R. 176. An act to amend section 331 of title 28 of the United States Code so as to provide for representation on the Judicial Conference of the United States;

H.R. 2816. An act for the relief of CWO James M. Cook;

H.R. 3606. An act for the relief of William C. Winter, Jr., lieutenant colonel, U.S. Air Force (Medical Corps);

H.R. 3863. An act for the relief of Woody W. Hackney of Fort Worth, Tex.;

H.R. 4369. An act for the relief of Henry James Taylor;

H.R. 4458. An act to authorize the Secretary of the Interior to replace lateral pipelines, line discharge pipelines, and to do other work he determines to be required for the Avondale, Dalton Gardens, and Hayden Lake Irrigation Districts in the State of Idaho;

H.R. 5182. An act for the relief of Charles P. Redick;

H.R. 5559. An act for the relief of Ralph E. Swift and his wife, Sally Swift;

H.R. 6667. An act to amend the act of August 16, 1957, relating to microfilming of papers of Presidents of the United States, to remove certain liabilities of the United States with respect to such activities;

H.R. 6996. An act for the relief of Harry Weinstein;

H.R. 7264. An act for the relief of M. C. Pitts;

H.J. Res. 109. Joint resolution designating the 17th day of December 1961 as "Wright Brothers Day"; and

H.J. Res. 499. Joint resolution authorizing a celebration of the American patent system.

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2010. An act to amend title V of the Agricultural Act of 1949, as amended, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JORDAN, Mr. ELLENDER, Mr. JOHNSTON, Mr. HOLLAND, Mr. AIKEN, Mr. YOUNG of North Dakota, and Mr. HICKENLOOPER to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills, a joint resolution, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1274. An act for the relief of the widow of Julian E. Gillespie;

S. 1761. An act to amend the act of March 3, 1901, relating to divorce, legal separation, and annulment of marriage in the District of Columbia;

S. 2488. An act to increase the number of apprentices authorized to be employees of the Government Printing Office, and for other purposes;

S.J. Res. 132. Joint resolution extending recognition to the International Exposition for Southern California in the year 1966 and authorizing the President to issue a proclamation calling upon the several States of the Union and foreign countries to take part in the exposition; and

S. Con. Res. 40. Concurrent resolution authorizing the printing as a Senate document of the 40th biennial meeting of the Convention of American Instructors of the Deaf; and providing for additional copies.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 739) entitled "An act to amend the Civil Service Retirement Act, as amended, with respect to the method of computing interest earnings of special Treasury issues held by the civil service retirement and disability fund," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSTON, Mr. MONRONEY, Mr. CLARK, Mr. FONG, and Mr. BOGGS to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the concurrent resolution (S. Con. Res. 14) entitled "Concurrent resolution saluting 'Uncle Sam' Wilson, of Troy, N.Y., as the progenitor of America's national symbol of 'Uncle Sam,'" requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCLELLAN, Mr. KEATING, and Mr. COTTON to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following titles:

S. 279. An act to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 4998) entitled "An act to assist in expanding and improving community facilities and services for the health care of aged and other persons, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. YARBOROUGH, Mr. WILLIAMS of New Jersey, Mr. PELL, Mr.

JAVITS, and Mr. CASE of New Jersey to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 5255) entitled "An act to clarify the status of circuit and district judges retired from regular active service," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EASTLAND, Mr. JOHNSTON, and Mr. HRUSKA to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 7916) entitled "An act to expand and extend the saline water conversion program being conducted by the Secretary of the Interior."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1653) entitled "An act to amend title 18, United States Code, to prohibit travel or transportation in commerce in aid of racketeering enterprises."

HOUSE MEETS AT 10 O'CLOCK A.M. ON SEPTEMBER 13

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow.

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

There was no objection.

COMMITTEE ON APPROPRIATIONS: SUPPLEMENTAL APPROPRIATION BILL, 1962

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a report on the supplemental appropriations bill, 1962.

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

There was no objection.

Mr. BOW. Mr. Speaker, I reserve all points of order on the bill.

EDUCATIONAL AND CULTURAL EXCHANGES

Mr. HAYS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8666) to provide for the improvement and strengthening of the international relations of the United States by promoting better mutual understanding among the peoples of the world through educational and cultural exchanges, with a Senate amendment thereto, disagree to the amendment of the Senate and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

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

The Chair hears none and appoints the following conferees: Messrs. HAYS, FARBSTEIN, MONAGAN, ADAIR, and SEELY-BROWN.

AMENDING CIVIL SERVICE RETIREMENT ACT

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 739) to amend the Civil Service Retirement Act, as amended, with respect to the method of computing interest earnings of special Treasury issues held by the civil service retirement and disability fund, with House amendments thereto, insist upon the amendments of the House, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

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

The Chair hears none, and appoints the following conferees: Messrs. MURRAY, MORRISON, and CORBETT.

AMENDING TITLE V OF THE AGRICULTURAL ACT OF 1949

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2010) to amend title V of the Agricultural Act of 1949, as amended, and for other purposes, with Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. POAGE]?

Mr. COAD. Mr. Speaker, I object.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION BILL—1962

Mr. ROONEY. Mr. Speaker, I call up the conference report on the bill (H.R. 7371) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1163)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7371) "making appropriations for the Departments of State and Justice, the Judiciary, and related agencies, for the fiscal year ending June 30, 1962, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 13 and 19.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 10, 15, 16, 17, 23, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$133,250,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,323,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert $4,650,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$75,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,910,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,710,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,400,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,370,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,210,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$110,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$8,000,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,500,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 20, 21, 24, 25, and 26.

JOHN J. ROONEY,
ROBERT L. F. SIKES,
CLARENCE CANNON,
FRANK T. BOW,
JOHN TABER,
Managers on the Part of the House.

JOHN L. MCCLELLAN,
ALLEN J. ELLENDER,
CARL HAYDEN,
WARREN G. MAGNUSON,
J. W. FULBRIGHT,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
KARL E. MUNDT,
MARGARET CHASE SMITH,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7371) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1962, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF STATE

Administration of foreign affairs

Salaries and Expenses

Amendment No. 1: Appropriates $133,250,000 instead of $132,000,000 as proposed by the House and $134,750,000 as proposed by the Senate.

Acquisition, Operation, and Maintenance of Buildings Abroad

Amendment No. 2: Provides a limitation of $1,323,000 for administrative expenses instead of $1,273,000 as proposed by the House and $1,373,000 as proposed by the Senate.

Acquisition, Operation, and Maintenance of Buildings Abroad (Special Foreign Currency Program)

Amendment No. 3: Appropriates $4,650,000 instead of $4,500,000 as proposed by the House and $5,300,000 as proposed by the Senate.

International Organizations and Conferences

International conferences and contingencies

Amendment No. 4: Provides a limitation of $75,000 for representation allowances instead of $60,000 as proposed by the House and $100,000 as proposed by the Senate.

United States Citizens Commission on NATO

Amendment No. 5: Appropriates $150,000 as proposed by the Senate instead of $125,000 as proposed by the House.

Amendment No. 6: Deletes language of the Senate.

International Commissions

International fisheries commissions

Amendment No. 7: Appropriates $1,910,000 instead of $1,896,000 as proposed by the House and $1,938,000 as proposed by the Senate.

Educational Exchange

International educational exchange activities

Amendment No. 8: Provides a limitation of $1,710,000 for administrative expenses instead of $1,650,000 as proposed by the House and $1,783,000 as proposed by the Senate.

The conferees are in agreement that funds for travel of dependents should be used only to return dependents now abroad; that no funds should be used to send additional dependents abroad.

International Educational Exchange Activities (Special Foreign Currency Program)

Amendment No. 9: Appropriates $7,400,000 instead of $6,600,000 as proposed by the House and $8,200,000 as proposed by the Senate.

TITLE II—DEPARTMENT OF JUSTICE

Federal prison system

Buildings and Facilities

Amendment No. 10: Appropriates $2,050,000 as proposed by the Senate instead of $1,800,000 as proposed by the House.

TITLE III—THE JUDICIARY

Courts of appeals, district courts, and other judicial services

Salaries of Referees

Amendment No. 11: Appropriates $2,370,000 instead of $2,290,000 as proposed by the House and $2,455,000 as proposed by the Senate.

Expenses of Referees

Amendment No. 12: Appropriates $4,210,000 instead of $4,010,000 as proposed by the House and $4,412,000 as proposed by the Senate.

TITLE IV—RELATED AGENCIES

United States Information Agency

Salaries and Expenses

Amendment No. 13: Appropriates $110,000,000 as proposed by the House instead of $111,700,000 as proposed by the Senate.

Amendment No. 14: Provides a limitation of $110,000 for representation instead of $100,000 as proposed by the House and $120,000 as proposed by the Senate.

Salaries and Expenses (Special Foreign Currency Program)

Amendment No. 15: Inserts language proposed by the Senate.

Amendment No. 16: Appropriates $9,300,000 as proposed by the Senate instead of $7,500,000 as proposed by the House.

Amendment No. 17: Deletes language as proposed by the Senate.

Special international program

Amendment No. 18: Appropriates $8,000,000 instead of $7,382,500 as proposed by the House and $8,603,000 as proposed by the Senate. The conferees are in agreement that none of the increase allowed above the House figure is to be used in connection with trade missions.

Amendment No. 19: Provides a limitation of $30,000 for representation as proposed by the House instead of $50,000 as proposed by the Senate.

Amendment No. 20: Reported in disagreement.

Special international program (special foreign currency program)

Amendment No. 21: Reported in disagreement.

Acquisition and construction of radio facilities

Amendment No. 22: Appropriates $7,500,000 instead of $7,150,000 as proposed by the House and $7,548,000 as proposed by the Senate.

Informational media guarantee fund

Amendment No. 23: Appropriates $1,500,000 as proposed by the Senate instead of $2,500,000 as proposed by the House.

Commission on Civil Rights

Salaries and Expenses

Amendment No. 24: Reported in disagreement.

Amendment No. 25: Reported in disagreement.

Amendment No. 26: Reported in disagreement.

JOHN J. ROONEY,
ROBERT L. F. SIKES,
CLARENCE CANNON,
FRANK T. BOW,
JOHN TABER,
Managers on the Part of the House.

Mr. ROONEY. Mr. Speaker, I should like to briefly explain the action of the managers on the part of the House in the conference with the other body on the pending bill, H.R. 7371, making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for fiscal year 1962.

Mr. Speaker, the conference report now before the House for adoption carries the total amount $756,422,550. This amount is $39,468,652 less than the total budget estimates of $795,891,202 for the items in this bill. The amount carried in the conference report is $5,122,500 more than the amount contained in the bill when it was passed by this body. However, of this amount approximately 40 percent is allowed only for expenditures by the use of foreign currencies. Also, $586,000 of this is occasioned by the extension of the Civil Rights Commission.

Mr. Speaker, compared with the bill as passed by the other body, the amount now recommended in the conference report is $5,616,000 less than the total amount approved by the other body.

The following is a summary of the action taken with regard to the Departments of State and Justice, the Judiciary, and related agencies appropriations bill for fiscal year 1962:

Item	Budget estimates	Passed House	Passed Senate	Conference action	Conference action compared with—		
					Budget estimate	House	Senate
Department of State	$289,675,000	$267,478,000	$272,695,000	$269,717,000	−$19,958,000	+$2,239,000	−$2,978,000
Department of Justice	298,384,000	294,239,900	294,489,900	294,489,900	−3,894,100	+250,000	
The Judiciary	56,050,202	54,497,650	55,064,650	54,777,650	−1,272,552	+280,000	−287,000
U.S. Information Agency	151,480,000	134,782,500	138,901,000	136,550,000	−14,930,000	+1,767,500	−2,351,000
Civil Rights Commission	302,000	302,500	888,000	888,000	+586,000	+586,000	
Grand total	795,891,202	751,300,650	762,038,550	756,422,550	−39,468,652	+5,122,500	−5,616,000

Mr. Speaker, I briefly yield to the distinguished gentleman from Ohio [Mr. Bow] the ranking minority member of the subcommittee.

Mr. BOW. Mr. Speaker, I thank the gentleman for yielding to me. I should like to say simply that we are in full agreement with the conference report. There are no items with which the minority is in disagreement.

Mr. BECKER. Mr. Speaker, will the gentleman from New York yield to me?

Mr. ROONEY. I yield to the distinguished gentleman from New York.

Mr. BECKER. I was unable to hear what was the difference between the bill passed by the House and the amount on which we are about to act in the conference report.

Mr. ROONEY. The difference between the total amount passed by the House, to wit: $751,300,050 and the total amount contained in the pending conference report, to wit: $756,422,550 is $5,122,500 more than the amount contained in the House bill, but of this $5 million plus approximately 40 percent is to be used by expenditure of foreign currencies on deposit in the Treasury of the United States.

Mr. BECKER. I appreciate the gentleman's explanation.

Mr. ROONEY. I thank the gentleman from New York.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 20: Page 34, line 22, insert: ": *Provided further*, That the unexpended balance of funds heretofore appropriated under the heading 'President's Special International Program' shall be merged with funds appropriated hereunder and accounted for as one fund."

Mr. ROONEY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY moves that the House recede from its disagreement to the amendment of the Senate numbered 20 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 21: Page 35, line 15, insert: ": *Provided further*, That the unexpended balance of funds heretofore appropriated under the heading 'Special Foreign Currency Program' shall be merged with funds appropriated hereunder and accounted for as one fund."

Mr. ROONEY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY moves that the House recede from its disagreement to the amendment of the Senate numbered 21 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

Mr. ROONEY. Mr. Speaker, I think it would be more orderly procedure for me to ask unanimous consent that amendment No. 25 in disagreement be considered prior to consideration of amendment No. 24, for the reason that amendment No. 25 provides for the extension of the life of the Civil Rights Commission, whereas amendment No. 24 furnishes the money in regard thereto. So, Mr. Speaker, I ask unanimous consent that we consider amendment No. 25 next.

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

There was no objection.

The SPEAKER pro tempore. The Clerk will report the amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 25: Page 36, line 21, insert: "*Provided*, That section 104(b) of the Civil Rights Act of 1957 is amended by striking out 'four years from the date of the enactment of this Act' and inserting in lieu thereof 'September 9, 1963' ".

Mr. ROONEY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY moves that the House recede from its disagreement to the amendment of the Senate numbered 25 and concur therein with an amendment, as follows: In lieu of the date of "September 9, 1963" in said amendment, insert: "September 30, 1963."

Mr. ROONEY. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, I would like to be sure that the House understands just exactly what this amendment proposes. This is an effort to breathe new life into the Civil Rights Commission which expired on September 9.

Mr. Speaker, at a time when we in this Nation need to marshal and coordinate our resources; when we need to stand together if ever we are going to stand together to confront a common foe; when we are being crowded to the very brink of war by an unscrupulous opponent who seeks to destroy our resolve and that of our friends in the world, it appears to me to be utmost folly to waste our time, our funds, and our energies on this issue.

The bill before you is an appropriations bill. It is not a legislative bill. The pending civil rights legislation which has been put into this bill by the other body is not even properly before us. This is legislation on an appropriation bill. If it had been proposed in the House it would have been ruled out as not germane.

Mr. Speaker, the extension of the Civil Rights Commission is both unwise and unsound. It has not justified its existence in the past. There is no reason to assume that it will do so in the future. It has been a complete waste of money. It has said nothing of consequence, it has reported nothing of consequence, it has recommended nothing of consequence during the 4 years of its existence.

In recent days in order to focus attention on its existence and thereby stir up sentiment and support for it, the Commission has issued a flurry of statements which further attest to its inability to perform an effective service. All of its efforts have been disruptive, all have served to create dissension and unrest. None has contributed to national solidarity and strength. This, Mr. Speaker, during the time when our greatest need is unity, solidarity, and strength.

The Civil Rights Commission should be eliminated entirely. Actually it ceased to exist as an agency of Government on September 9, unregretted, unlamented, and largely unnoticed other than by professional mourners.

There is no reason now to breathe new life into it. I hope the House will reject the action of the Senate in reestablishing and refinancing this unwanted agency by slipping it into a bill where it has no business, without hearings, without debate, and without appropriate consideration.

Mr. ROONEY. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I think we all understand that the extension in this appropriations bill of the life of the Civil Rights Commission for 2 years was first effectuated in the other body and was decided there by a rollcall vote.

The life of the Commission has expired by present law on September 9, which has already gone by. The action now before the House for approval, and agreed to by a majority of the conferees of the House and the other body, would extend the life of the Commission for 2 years, from the 30th of this month.

We all know the Commission on Civil Rights has done an intelligent, decent, dignified job in delving into what some consider a very touchy subject. Some of the most distinguished citizens of this country are members of this Commission. The chairman, Dr. John A. Hannah, is the president of Michigan State University. The Vice Chairman of the Commission is Dean Robert G. Storey, president of the Southwestern Legal Foundation, Dallas, Tex. I believe Dean Storey is also the dean of the Law School of Southern Methodist University. Other members of the Commission are Rev. Theodore M. Hesburgh, C.S.C., president of the University of Notre Dame in Indiana, and Dr. Robert S. Rankin, chairman of the Department of Political Science at Duke University in North Carolina.

This Commission was created in 1957 and extended for a period of 2 years in 1959. The Commission's factfindings and investigations have already been the basis for much needed present legislation. Facts heretofore uncovered by the Commission have been the basis for action by the Attorney General.

On last Saturday, September 9, the Commission on Civil Rights submitted to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives the first volume of a five-volume report on the Commission's activities, findings and recommendations in the fields of voting, education, employment, housing, and the administration of justice. The first volume, on voting, contains the findings and recommendations of the Commission in this vital area. This comprehensive volume on voting dis-

crimination is referred to in the following editorial published in the New York Times of September 11, 1961:

CIVIL RIGHTS REDEFINED

Four years ago last Saturday this country set up by act of Congress a Commission instructed to investigate allegations that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion or national origin.

Exactly 4 years and 380 printed pages later the Commission, as constituted today, has completed its work. Two of its six members dissented on some points, but these dissents dealt with recommendations, not with disputed facts.

The facts held reasonably certain are that in about 100 counties in 8 Southern States Negroes are or have recently been denied the right to vote on grounds of race or color; that the 14th and 15th amendments have been evaded in various ways; and that this situation has not yet been corrected by existing State or Federal laws. There are at least 13 counties in which the Negroes are in a majority but in which no Negro is registered to vote.

Four members of the Commission join in recommending that Congress enact laws sweeping aside all State restrictions not related to age, length of residence, imprisonment or conviction of a felony. Supposedly mental incapacity would be included. Six years of formal schooling would be assumed to prove literacy.

The two eminent southern scholars who dissented were not, of course, arguing for denial of the right to vote. They believed, in the words of Vice Chairman Robert G. Storey, dean of the Law School of Southern Methodist University, that "proposals to alter longstanding Federal-State relationships * * * should not be made unless there is no alternative method to correct an existing evil." It can be argued that existing Federal laws in this field have not been fully applied. The Kennedy administration seems to want to try enforcement a little more before going out for new legislation.

But it can also be argued that the enfranchisement of the southern Negro has gone altogether too slowly and that in these days when justice at home may help win us friends abroad we cannot afford such sluggishness.

And it may be that justice, whether under Federal or under State law, is an end in itself and should be pursued with vigor and unrelenting speed.

Ordinarily, I do not like the attachment of legislative riders to appropriation bills but in this instance there is no alternative. The other body inserted the rider in this bill and if the Civil Rights Commission is to be kept alive for a further period of 2 years, there is, as I say, no alternative but to accept the Senate amendment, with an amendment, changing the date to September 30, 1963. I am confident that this House will continue this Civil Rights Commission, as I suggest, for a further period of 2 years. An "aye" for my pending motion will effectuate such an extension.

Mr. Speaker, I ask unanimous consent that I may insert as part of my remarks an editorial from the New York Times, together with a summary table in connection with my previous remarks today on the adoption of the conference report on this bill.

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

There was no objection.

Mr. ROONEY. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Speaker, I warmly support this amendment which would extend the life of the Civil Rights Commission for another 2 years.

Contrary to what some of the opponents to this measure have professed, legislation of this nature is imperative in these perilous times in which we live. We cannot afford, as a matter of fact, not to act on it now—both because it involves the rights and well-being of our own citizens, and because it bears heavily upon the position we hold in the eyes of the newly developing nations of the world.

Although it has been challenged, the fundamental goal of our country has persevered through the nearly two centuries of our existence. This is a goal to guard the rights of the individual, to insure his development and to challenge his abilities. It was set forth simply and yet forcefully by the drafters of the Declaration of Independence when they said:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.

Mr. Speaker, this Commission has performed notable and heartwarming service in advancing this fundamental goal of our Nation; it has proven during the last 3 years that it can effectively define problems in the vital field of civil rights and formulate constructive solutions, and it should, as a result, be continued.

My only regret is that stronger action is not being taken at this time. I regret that the legislation which I have joined the distinguished chairman of the Committee on the Judiciary, Mr. CELLER, in introducing, legislation which would make the Civil Rights Commission a permanent branch of our Government and strengthen its factfinding powers, is not being considered today. I am very hopeful, however, that in light of the Commission's distinguished accomplishments, and considering the need for its important work, that we will be able to consider this proposal in the near future, and that the Congress will enact it.

Mr. CRAMER. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the House just a few minutes ago discussed but did not take a vote on the conference report on the Justice Department and other agencies appropriation bill, H.R. 7371.

Included in the conference report was a very important piece of substantive legislation, the extension of the Civil Rights Commission, which was added by the other body as a rider to this appropriation bill.

The manner in which this has been handled, the lack of opportunity on the part of this body to have the chance to consider the merits with regard to the Civil Rights Commission bill as reported by the Committee on the Judiciary of this body on August 18, clearly indicates that there is something wrong, at least in my opinion, with the manner in which substantive riders are added by the other body to matters that are not related thereto, and in this instance amounts to legislation on an appropriation which would be subject to a point of order if contained in H.R. 7371 in the House—but it is not as a part of the conference report.

Here is what has happened. The Committee on the Judiciary on August 18 reported out an extension of the Civil Rights Commission and included an amendment that is of vital importance so far as the jurisdiction of that Commission is concerned. This amendment was considered on its merits by the committee. The amendment would give the Civil Rights Commission the authority to investigate all vote fraud cases generally, vote fraud cases among the majority as well as the minority. That amendment which I offered in committee was approved by the Committee on the Judiciary, the bill was reported as amended by the Committee on the Judiciary on August 18, but no rule has ever been granted. Therefore, the House has been denied absolutely and completely the opportunity of considering that amendment on its merits. The committee report itself indicates the importance of the amendment, a substantive amendment as proposed and voted out by the Committee on the Judiciary.

I quote the report:

The right to vote is the cornerstone of representative self-government in America. As such, it is imperative that the franchise of every qualified citizen be adequately and effectively safeguarded and protected.

Congress, in 1957, concerned with extensive allegations that certain qualified citizens were being arbitrarily denied the right to vote, or to have their vote properly counted, established the Commission on Civil Rights to investigate charges that the franchise of minorities was being abused. This duty of the Commission was set forth in section 104(a) of the Civil Rights Act of 1957 (42 U.S.C. 1975c(a)):

"The Commission shall—

"(1) investigate allegations in writing under oath or affirmation that certain persons are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based."

In 1956, Mr. Herbert Brownell, then the Attorney General, described the proposed operation of the Commission in an executive communication to the Speaker (see p. 14, H. Rept. 291, 85th Cong., 1st sess.):

"Where there are charges that by one means or another the vote is being denied, we must find out all of the facts—the extent, the methods, the results.

"The need for a full scale public study as requested by the President is manifest. The executive branch of the Federal Government has no general investigative power of the scope required to undertake such a study. The study should be objective and free from partisanship. It should be broad and at the same time thorough."

Since its creation, the Commission has been most vigorous in pursuing these objectives. Its numerous investigations of alleged franchise deprivations have been widely hailed.

President John F. Kennedy, in a recent letter to Chairman CELLER urging extension of the Commission, observed, however, that the Commission has not yet fully realized its

"constructive potential." This is certainly true. Limited as it is in jurisdiction to the protection of minority interests, it is presently powerless to investigate franchise abuses not based upon "color, race, religion, or national origin."

Yet, as Mr. Byron R. White, Deputy Attorney General, recently observed in a communication to your committee, dated August 7, 1961:

"Apart from the Commission there is no Federal executive agency charged with a continuing responsibility for gathering information calculated to assist in the guaranteeing of the protection of constitutional rights."

If it is true that the denial of freedom to any American is a diminution of freedom to all Americans, then we cannot tolerate restrictions on the franchise from any quarter—for any cause. If the constitutional right to vote is worth protecting through a Federal agency for any Americans, it is worth protecting through such agency for all Americans. The time is past, if ever there was such a time, when constitutional protections can be administered in a discriminatory or segregated manner. It is with this conviction, it is to embrace within the ambit of the Civil Rights Commission's operations the job of safeguarding everyone's right to vote, the most fundamental civil right under the Constitution, that paragraph (4) is offered.

The proposed amendment would broaden the functions of the Commission to cover all citizens seeking franchise protection. If the Commission, in the past, performed a useful function, and our action in extending its life would indicate it has, then filling the present civil rights gap in its responsibilities under the proposed amendment should provide it with an even greater challenge and opportunity for service.

It should be noted well that the new investigative power granted the Commission does not extend to any case involving a purely State or local election.

As with its original authorization to initiate Commission action, allegations must be submitted in writing, under oath, or affirmation. It is not permitted to act on mere hearsay or rumor. Unlawfully according the franchise, as well as its denial, is made a ground for Commission action. And, as is already the case, primary elections, as well as general elections, are embraced within the scope of its broadened responsibilities.

The proposed amendment is not directed at any locality, party or election. Rather it is responsive to a long felt general need. Charges of voting irregularities have probably been made in every election since the founding of the Republic. For the most part, such allegations have been without foundation. But occasionally in our history chicanery has occurred and, because of the lack of effective machinery charged with the responsibility to investigate, has gone unpunished and unexposed to the public view.

Belief in, and respect for, the integrity of the methods by which our leadership is chosen must be maintained. If ever that belief and respect are lost, our freedoms will likewise be lost.

The committee is convinced that the proposed amendment will go a long way toward insuring the preservation of the integrity of the ballot in this country.

Attached hereto and made a part of this report is a letter dated August 7, 1961, from the President to the chairman, Committee on the Judiciary, House of Representatives, a letter dated July 20, 1961, from the Department of Justice, and a letter dated May 12, 1961, from the Commission on Civil Rights.

Mr. Speaker, there is no greater right that a human being has, if you talk about civil rights in America, a free society, a representative form of government, than the right to vote by either the majority or minority. This amendment was for the purpose of giving to the people in America the assurance, so far as the Civil Rights Commission could do it, that they would enjoy the right to vote and to have the vote counted. In other words, give somebody the authority to investigate flagrant voting fraud cases, of which I have evidence in substantial quantity in my files and which has been carried in the press. This matter of vote frauds has been discussed all over the country in the past.

The result of adding this substantive rider limiting it to extension of the Commission in the other body and bringing it in, in the form of a part of a conference report, denies the House any opportunity of working its will on the substantive legislation itself, and of greater importance, on the important clean elections amendment that was approved by the Committee on the Judiciary. It does not give the House the opportunity of considering it.

I discussed with the Parliamentarian how this amendment approved by the House Committee on the Judiciary might be considered under the circumstances, with a motion pending to recede and concur or to recede and concur with an amendment offered by the other body, and I was informed that is a priority motion, therefore no parliamentary procedure could be had except to vote that motion down, which in the makeup of the House at the present time is an impossibility. No motion to consider this clean elections amendment would be in order.

This indicates the shortcomings of the procedures of this body that permits such a rider added to an appropriation bill in the Senate to be included in a conference report with no opportunity for this body to work its will on the substantive matter itself.

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

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

Mr. POFF. May I ask the gentleman if the chairman of the Committee on the Judiciary has asked the Rules Committee to grant a rule?

Mr. CRAMER. Well, whether he has asked or not, I could not say definitely. But he certainly has not been successful. The distinguished chairman of our Judiciary Committee is quite persuasive in other matters with respect to acquiring a rule and a rule would be forthcoming if the leadership wanted it, especially with the stacked Rules Committee. It is inconceivable to me that he would not have been able to acquire a rule had he pressed for it or if the leadership wanted it and that we would have had the Civil Rights Commission extension legislation as a substantive matter on the floor of this House to be considered on its merits, as well as the amendment that was enacted rather than as a rider in a conference report on an unrelated appropriation bill.

Mr. POFF. It is my understanding that the Commission is authorized under the parent legislation to investigate charges of the denial of the right to vote on account of race, creed or color. The amendment adopted in the Judiciary Committee expanded the authority of the Commission to authorize investigations of charges of deprivation of the right to vote by means of fraud or any illegal act; is that correct?

Mr. CRAMER. The gentleman is absolutely correct. In effect, it protects for everyone the basic constitutional right to vote and to have that vote counted; that is, the civil rights being protected. It protects those rights for all Americans, not only for the minority members. That was the objective involved.

The SPEAKER pro tempore. The time of the gentleman from Florida has expired.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

Mr. ANDERSEN of Minnesota. Mr. Speaker, reserving the right to object, I will not object to Mr. CRAMER having 3 additional minutes, but I do want to vote on this other bill before we forget what the matter is all about.

Mr. CRAMER. I appreciate the statement by the gentleman from Minnesota.

Mr. ANDERSEN of Minnesota. Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. Without objection, the gentleman from Florida is recognized for 3 additional minutes.

There was no objection.

Mr. CRAMER. Mr. Speaker, I hope the gentleman will share my concern about my clean elections amendment which was offered in the Judiciary Committee and approved by the Judiciary Committee in the Civil Rights Extension bill. The committee instructed the chairman to request a rule on the extension of the Civil Rights Commission with the vote fraud amendment. Such a rule was not forthcoming. Here we get in the dying days of the session this substantive piece of legislation—the extension of the Civil Rights Commission as a rider to an appropriation bill, with no opportunity whatsoever to work the will of the House on an amendment offered by this body.

Mr. ANDERSEN of Minnesota. If the gentleman will yield further, the fact that my good friend from Florida [Mr. CRAMER] is arguing the matter as he is, is conducive toward my feeling that I should support his position.

Mr. CRAMER. I thank the gentleman from Minnesota. I just wish there were a parliamentary procedure whereby we were able to get in this substantive clean elections provision at this time. The only recourse now is to vote down the motion to recede and concur in the Senate rider, amendment No. 25.

Mr. Speaker, the committee reported favorably on this amendment, and in that report said as follows:

If it is true that the denial of freedom to any American is a diminution of freedom to all Americans, then we cannot tolerate restrictions on the franchise from any quarter—for any cause. If the constitutional right to vote is worth protecting through a Federal agency for any Americans, it is worth protecting through such agency for all Americans.

Can anyone argue with that?

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

Mr. CRAMER. I will be delighted to yield to the distinguished gentleman from Virginia, the chairman of the Rules Committee.

Mr. SMITH of Virginia. With reference to the question as to whether an application was made to the Committee on Rules for a rule to bring out the judiciary bill, I want to say as chairman of the Rules Committee that to my knowledge no request was ever made for a rule. I did not know the bill had been reported by the Judiciary Committee.

Based upon the way the Rules Committee is now constituted, there certainly would have been no question about your having had an opportunity to get a rule and have the matter debated fully on the floor of the House.

Mr. CRAMER. I thank the distinguished chairman of the Rules Committee. Does the distinguished chairman of the Rules Committee feel that the manner in which this legislation has been considered by tacking on a substantive rider to an appropriations bill for the extension of the Civil Rights Commission and not permitting the House to consider it or my clean elections amendment is the way to legislate?

Mr. SMITH of Virginia. I think not only in this instance, but in other instances it is an outrageous abuse of the parliamentary procedure, and the House should not stand for it.

Mr. CRAMER. I agree and I thank the gentleman.

I would like to say that the purpose for which it was done was to avoid the vote fraud amendment which was adopted by the Judiciary Committee, and avoid the House having the opportunity to work its will on the question. There is no doubt but what the House would have approved this amendment.

It will be my objective in the future to press for the passage of this obviously necessary amendment protecting the civil right of everyone to vote when the civil rights matter is up for further consideration or in the next session when we have an opportunity to work our will on the merits.

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

The previous question was ordered.

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

The question was taken; and on a division (demanded by Mr. SIKES) there were—ayes 61, noes 18.

So the motion was agreed to.

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

The SPEAKER pro tempore. Pursuant to the order of the House of September 7, further consideration of the pending motion and the remaining amendments reported in disagreement will be postponed until tomorrow.

WET LANDS DRAINAGE

Mr. POAGE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8520) to amend the Soil Conservation and Domestic Allotment Act, as amended, to add a new subsection to section 16 to limit financial and technical assistance for drainage of certain wet lands.

The Clerk read the title of the bill.

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

Mr. ANDERSEN of Minnesota. Mr. Speaker, reserving the right to object, will I have an opportunity to offer an amendment to this bill?

Mr. POAGE. Yes, the gentleman will have an opportunity to offer an amendment to the bill.

Mr. ANDERSEN of Minnesota. Mr. Speaker, I withdraw my reservation of objection, with the understanding that I will have the opportunity to offer an amendment.

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

There was no objection.

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 the Soil Conservation and Domestic Allotment Act, as amended, is further amended by adding at the end of section 16 thereof the following new subsection:

"(c) The Secretary of Agriculture shall not enter into an agreement to provide financial or technical assistance for wetland drainage on a farm under authority of this Act, if the Secretary of the Interior has made a finding that wildlife preservation will be materially harmed on that farm by such drainage and such finding, identifying specifically the farm and the land on that farm with respect to which the finding was made, has been filed with the Secretary of Agriculture."

With the following committee amendments:

Page 1, line 6, strike out "(c)" and insert "(e)".

Page 1, line 7, following the word "agreement" insert "in the States of North Dakota, South Dakota, and Minnesota".

Page 2, line 4, strike out the period and the closing quotation marks and insert a colon and the following, *"Provided,* That the limitation against offering such financial and technical assistance shall terminate one year after the date on which the adverse finding of the Secretary of the Interior was filed unless during that time an offer has been made by the Secretary of the Interior or a State government agency to lease or to purchase the wetland area from the owner thereof as a waterfowl resource. The provisions of this subsection shall become effective July 1, 1962."

The committee amendments were agreed to.

Mr. ANDERSEN of Minnesota. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSEN of Minnesota: On page 2, line 6 after the word "Agriculture" insert "within 90 days after the filing of the application for drainage assistance".

Mr. ANDERSEN of Minnesota. Mr. Speaker, I ask unanimous consent to proceed for an additional 5 minutes.

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

There was no objection.

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

Mr. ANDERSEN of Minnesota. I yield to the gentleman from Texas.

Mr. POAGE. While I have no authority to speak for anyone other than myself, I am glad to accept the gentleman's amendment.

Mr. ANDERSEN of Minnesota. I thank the gentleman. I think the amendment does improve the bill considerably. I might say to my colleague, I am trying to be reasonable in this matter.

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

Mr. ANDERSEN of Minnesota. I yield to the gentleman from Iowa.

Mr. HOEVEN. The gentleman has given me an opportunity to examine this amendment. I think it is a good amendment and, so far as I am concerned, I am willing to accept it.

Mr. ANDERSEN of Minnesota. I thank the gentleman.

Mr. Speaker, I would like to ask the gentleman from Texas [Mr. POAGE] a few questions in order that we may have a little legislative history brought into the RECORD at this point, so that the intent of the Congress as to this bill will be clearly on record.

The first question I would like to direct to the gentleman from Texas is this: I am disturbed by the fact that in this bill there is no exact definition as to what constitutes "wet lands."

What do you think is the proper definition of wet lands as the committee has adopted it and has referred to it in the report?

Mr. POAGE. Well, there is no definition of wet lands as such in the bill, for two different reasons. First, the committee explored this subject rather thoroughly and came to the conclusion that it would be virtually impossible to write, in legal language, a satisfactory definition defining wet lands which would be applicable to all possible areas which the committee wants covered by the bill and not, perchance, applicable to some others that we do not want to cover.

Second, the committee felt that an academic definition of wet lands as such is not necessary nor even relevant for the purposes of this bill.

The only question here is what wetland areas are to be subject to the provisions of the legislation. This question the committee has answered in the proviso which has been added at the end of the bill, and in doing so has provided a practical working definition of wet lands which are subject to the provisions of the legislation. As explained on page 3 of the committee report, this proviso in itself establishes an effective definition of wet lands for the purposes of this bill. Only those wet lands in the three States affected by the bill which are of such value to the propagation of wildfowl and other wildlife that they would be acquired by the Department of the Interior or by a State agency, either by lease or by purchase, for purposes of wildlife propagation, are wet lands for the purposes of this bill.

Mr. ANDERSEN of Minnesota. Would the gentleman from Texas agree with me, then, that unless the Department of

the Interior is willing to make a definite, bona fide offer, they will have no further restrictions upon this particular wetland area?

Mr. POAGE. That is absolutely correct. If, during the course of the year following the filing of an objection, neither the Department of the Interior nor a State has made a reasonable offer to lease or purchase the wet lands in question, their right to object to the provisions of the drainage application would be extinguished. I think that is perfectly clear in view of the amendment offered by the gentleman from Minnesota that the right of the Department of the Interior to file objections against the drainage application must be exercised within 90 days after the application is filed. This would preclude beyond any question the right of the Department to come in after a year of inactivity, as the gentleman has suggested, and file another objection.

Mr. ANDERSEN of Minnesota. In connection with the definition of these wet lands, the bill speaks of them as such, but there is room for disagreement as to what does constitute wet lands.

Now, the farmers in my area of Minnesota call such areas potholes, and they are a nuisance, in that they hinder farming. But, the Department of the Interior may, under this bill consider such spots wet lands and say they are necessary and must be preserved for the nesting of ducks.

Another thing: This bill is applicable only to the States of Minnesota and the Dakotas.

Now, Mr. Speaker, it does seem to me—I am not going to insist on my amendment by posing this issue—but it does seem to me that if this legislation is good legislation for Minnesota and the Dakotas, it really should be good legislation for the entire Nation. If these potholes or wet lands are so important that they must be preserved in these particular States then we should preserve them in the rest of the country.

One other question: You have said that the 1-year time limit would begin to run as of the filing of the objection by the Department of the Interior. Now, suppose that neither the Department of the Interior nor any State agency makes any such definite, bona fide offer to acquire the wet lands during the 1-year period, can the Department of the Interior then come in at the end of the year's time and say to my farmers, "Well, we are going to object to your proposed drainage"? Can they interpose another objection?

Mr. POAGE. I think I answered that question rather fully a few moments ago. Categorically the answer is "No," it cannot, and once having failed to comply with the provisions of the bill and making a reasonable offer within the 1 year, the right of the Department to interpose an objection is extinguished.

Mr. ANDERSEN of Minnesota. One further question: What does the committee mean by the term "reasonable offer"? This term does not occur in the bill itself, but it is contained in the committee report on page 3. The Department of the Interior may think an offer is reasonable, but the farmer may say, "I do not think that is a reasonable offer, I do not agree with it." What recourse does the farmer have?

Mr. POAGE. May I say that we in the committee had some discussion on this very point, and it seemed to us that "reasonable offer" would be clearly an offer comparable to those which had recently been made to buy or lease a comparable parcel of wetland in the same area and which had been accepted by the farmers involved.

Mr. ANDERSEN of Minnesota. I thank the gentleman from Texas for his courtesy in this matter, and the detailed explanation just given me, just by way of legislative history in the record.

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

Mr. ANDERSEN of Minnesota. I yield.

Mr. REUSS. I should like, Mr. Speaker, to ask the gentleman from Texas, who has just been answering questions propounded by the gentleman from Minnesota, to answer a couple of questions on the Andersen amendment. The Andersen amendment would place a statutory limit of 90 days upon the time given the Department of Interior to file an objection to a proposed drainage application. This is 90 days from the time the application is filed with the county committee by the farmer. But there is no time established by the bill within which the county committee must notify the Interior Department that the application has been filed. Suppose a committee either by inadvertence or design does not notify the Interior Department promptly of the filing of the application so that the Fish and Wildlife Service has very little time, or perhaps even no time at all, in which to file its objection?

Mr. POAGE. The Secretary of Agriculture cannot permit this to happen and I cannot believe that he would do so. This is a special provision of law applying to only a certain type of conservation program application. It establishes a statutory time in which another department of the Government must take action on such applications. I think it is clearly incumbent by the very nature of the statute upon the Secretary of Agriculture to promulgate regulations which would require that one of the procedures which must be followed by the County Committee before it can approve any such drainage application is an extremely prompt notification of the Interior Department that the application has been filed. I believe that the Secretary of Agriculture has both the responsibility and the authority to make some such regulation and from the very cooperative way in which these agencies have worked together in the past, I am abundantly sure that he will do so. I do not believe that the problem proposed by the gentleman will arise.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

(By unanimous consent Mr. ANDERSEN of Minnesota was allowed to proceed for 2 additional minutes.)

Mr. REUSS. Mr. Speaker, will the gentleman from Minnesota yield further?

Mr. ANDERSEN of Minnesota. I yield to the gentleman from Wisconsin.

Mr. REUSS. I would like to ask the gentleman from Texas this additional question:

Suppose the county committee looks at an application for drainage and decides on its own that there are no wet lands of significance to the wildfowl conservation program on the man's farm? Can it make this decision and go ahead and approve the application without referring it at all to the Department of the Interior?

Mr. POAGE. No, it certainly cannot. Here again the very nature of this special legislation will make it obligatory upon the Department of Agriculture, presumably acting through the county committee, to notify the Interior Department promptly of every application for drainage which is filed in the three States included in the bill. The bill gives the Department of the Interior—not the county committee—the statutory responsibility for this decision. I do not see how the Department of Agriculture could justify approval of such an application without referring it to the Interior Department.

Mr. REUSS. I thank the gentleman from Texas for his answers and the gentleman from Minnesota for his courtesy in yielding to me.

Mr. ANDERSEN of Minnesota. Mr. Speaker, in conclusion I may say that while I have extreme reservations relative to this legislation, I do not want to be considered adamant in my line of reasoning. Consequently, Mr. Speaker, if the amendments I have sent to the desk are adopted, I shall withdraw my objection to passage of the bill.

Mr. JOHNSON of Wisconsin. Mr. Speaker, I want to urge passage of H.R. 8520, as it would eliminate the existing inconsistency of the Department of Agriculture's farm drainage program and the Department of Interior's wetlands preservation program. I introduced this bill on August 7, and identical or similar bills have also been introduced by my colleagues, the gentlemen from Wisconsin, Congressman CLEMENT ZABLOCKI, Congressman HENRY REUSS, Congressman ROBERT KASTENMEIER, and Congressman WILLIAM VAN PELT, and by the gentleman from Michigan, Congressman JOHN DINGELL, the gentleman from Pennsylvania, Congressman JOHN SAYLOR, and the gentleman from Florida, Congressman ROBERT SIKES.

The problem which this legislation would solve is a pressing one. Currently, the Agriculture Department furnishes technical and financial assistance to farmers for drainage of wet lands under the agricultural conservation program. At the same time, the Interior Department is conducting a program for the purchase or lease of wet lands in order to save our dwindling duck population. Present requirements of the law do not permit the Secretary of Agriculture to withhold cost-sharing assistance from drainage projects merely because they adversely affect wildlife.

Here we have two programs which are operating at cross-purposes. Clearly, we must resolve his conflict of interest in

order to prevent the taxpayers' money from being wasted because two programs are working against each other.

My bill provides that no contract for agricultural conservation program assistance can be entered into by the Secretary of Agriculture with a farm operator for drainage of land in North Dakota, South Dakota, and Minnesota if the Secretary of Interior has determined that wildlife preservation will be materially harmed by the proposed drainage project. Prior determination of the specific areas of the farm where this would be so must be made by the Department of Interior and filed with the Department of Agriculture in order for this legislation to apply. The limitation against offering Federal financial and technical assistance for such drainage shall terminate 1 year after the date on which the adverse finding of the Secretary of Interior was filed unless an offer has been made during that time by the Interior Department or a State government agency to lease or purchase the wetland area from the owner as a waterfowl refuge.

Mr. Speaker, such cooperation between the two departments will insure a coordinated approach to a problem of great concern to conservationists across the Nation. The region north and east of the Missouri River in the Dakotas and western Minnesota is still referred to as the last important duck factory in the United States. This was originally a glaciated area of undulating grasslands, pockmarked by thousands of shallow lakes and potholes. According to Thomas A. Schrader of the U.S. Fish and Wildlife Service, this tristate region, which is the area affected by H.R. 8520, may at one time have produced 15 million ducks a year.

Proof of its value for duck production is the use still being made of its remaining water. It is the favored mating and nesting area for blue-winged teal, pintail, mallard and other species in lesser numbers. In normal years, it still turns out from 3 to 4 million ducks, which disperse into all four flyways as they wing southward to wintering grounds.

Continued high production from the prairie potholes is essential to the future of waterfowl hunting throughout the Mississippi and central flyways. Band returns from 2,063 mallards, gadwalls and pintails banded in June, July, and August within the prairie pothole region of the United States show that the ducks were shot in 40 States, Canada, Central America, and South America.

Of redheads banded in the pothole region during the same months and recovered away from the immediate banding area, 13.5 percent were taken in the Atlantic flyway. Of the pintails recovered away from the immediate banding area, 19.2 percent were shot in the Pacific and Atlantic flyways in the United States and in British Columbia. It is plain that prairie pothole ducks contribute to good waterfowl hunting in most parts of the Nation.

Mr. Speaker, in 1936, Congress passed the Soil Conservation and Domestic Allotment Act. It was the basis for the subsidization of many worthwhile soil conservation practices such as stripcropping, terracing, contour plowing, and tree planting. However, the provisions for Federal aid for the drainage of farm wet lands have been indiscriminately used and abused. Since 1936, agricultural drainage has been responsible for destroying 5,602,241 acres of wet lands in Dakota and Minnesota alone. Each year, about 3 percent of the remaining wet lands in this area are lost to federally subsidized drainage projects.

The U.S. Department of Agriculture's Soil Conservation Service has estimated that 127 million acres of natural wet lands originally existed in all the States lying south of the Canadian border. In 1956, the Fish and Wildlife Service of the Department of Interior estimated that 74,439,000 acres of wet lands remained. This is slightly over 58 percent of the original acreage.

Of these remaining wet lands, 8,819,900 acres were classified as having high value for waterfowl and 13,616,500 acres as having moderately high or significant value. This total of 22,436,400 acres constitutes just a little over 30 percent of the remaining wet lands as of that date. In the 4 years which have elapsed since these estimates were made, wet lands have continued to disappear both temporarily and permanently.

Mr. Speaker, the handwriting is on the wall. Immediate action is necessary if we are going to save our continental flights of waterfowl.

The Department of Interior already has the authority to offer to lease or buy wet lands for migratory bird refuges and nesting areas. A bill to accelerate this Federal wetlands acquisition program has already passed the House, and the Senate has passed an amended version. Under the accelerated program provided for in this legislation, it would be possible for farmers to sell or lease their wet lands to the Interior Department at a satisfactory price. The 1-year limitation on the withholding of Federal assistance for drainage of wet lands provided for in H.R. 8520 will insure the farmer against undue delay in the lease or purchase of such lands for waterfowl refuges.

When hearings were held on H.R. 8520 before the Conservation and Credit Subcommittee of the House Agriculture Committee, both the Department of Agriculture and the Department of Interior strongly supported the measure. While the testimony indicated that the two Departments have endeavored to cooperate on coordinating the drainage and wetlands acquisition programs, it was equally clear on the point that the Agriculture Department's hands are now legally tied. USDA has no legal authority to refuse to give technical and financial assistance to a farmer in the drainage of wetland areas simply because those areas are valuable as breeding grounds for migratory wildfowl, and even though the Interior Department might be willing to lease or purchase the wet lands in question under its acquisition program.

Mr. Speaker, H.R. 8520 is intended to eliminate this conflict. There is nothing in the bill to prevent any farmer from draining any area of his land he may wish to drain at his own expense. It merely states that if the specific wet lands are of such value to wildlife propagation that the Department of Interior is willing to lease or acquire them for that purpose, the Department of Agriculture will not circumvent this program by assisting the farmer either financially or technically in such drainage.

On September 1, the Agriculture Department issued a news release titled "Wildlife to Benefit from New Features of Conservation Program." It read, in part, as follows:

> The Department also is supporting legislation now under consideration by the Congress which will limit financial and technical assistance for drainage of certain wet lands in the three-State area of Minnesota, North and South Dakota.
>
> The bill, H.R. 8520, has been reported favorably by the House Agricultural Committee. It directs the Secretary of Agriculture to limit financial or technical assistance for wetland drainage on a farm where the Secretary of Interior finds that drainage will be harmful to wildlife.
>
> Other legislation provides that the Secretary of Interior may lease or purchase the wetland area as a waterfowl resource. Where no offer to lease or purchase is made, drainage assistance may be given.

Mr. Speaker, we hear of the days when ducks and geese were so numerous that they darkened the sky in their spring and fall migrations between wintering grounds in the south and summer nesting areas in the north. But those days are gone forever. As I pointed out before, the alarming decline came when farming brought drainage of the wetland area and destroyed more than half of the nesting range of ducks in the prairie pothole region. The additional corn and wheat produced as a result of this drainage can be recorded as a gain in the dollar-and-cents ledger, but the change has left us poorer in the waterfowl resource account, which is kept in a different set of books.

In calculating the value of further drainage, two factors must be considered. First, since the most economically drainable land has been drained, any future drainage is likely to be more difficult and less rewarding. Second, with increasing demand and decreasing supply, the duck has become vastly more valuable. In pioneer days, the value of a duck was expressed in cents per pound, but today, waterfowl values do not find true expression behind a dollar sign. They have recreational, social, and cultural values which make their meat values appear almost inconsequential.

Secretary of Interior Stewart Udall has said that the necessity to meet the outdoor needs of our people now and in the future will in all likelihood be the sharpest and most consistent pressure on our land, water, and forests in the years ahead. It is our responsibility to see to it that there will be sufficient outdoor recreational area available to our increasing population so that our children and their children may enjoy the outdoor opportunities which we have had. H.R. 8520 will help us to meet that responsibility by protecting our priceless waterfowl resource from indiscriminate, federally subsidized drainage of the wet lands where ducks and geese nest

and rest. I urge the speedy passage of this legislation.

Mr. REUSS. Mr. Speaker, for 20 years we have been subsidizing the drainage of farm wet lands where the ducks and geese breed. More than one-third of the potholes in the Minnesota-Dakota wetlands area have been drained up by this process.

As a result, our waterfowl population has suffered severely. This year, there is a sharply curtailed open season on waterfowl in most of the Nation's flyways. Many responsible biologists have suggested that the season should have been closed entirely.

We are at last embarking on a crash program of acquiring Federal wildlife refuges. But unless we are able to stop the indiscriminate drainage of farm wet lands valuable to wildlife, we will find we are moving twice as fast just to go backward as far as waterfowl are concerned.

H.R. 8520 bears the name of a splendid Congressman and a great conservationist, the gentleman from Wisconsin [Mr. JOHNSON]. The bill provides that the Secretary of Agriculture shall not subsidize the drainage of farm wet lands where the Secretary of the Interior finds that wildlife preservation will be materially harmed, and requires the Secretary of the Interior to make an offer in good faith to purchase or lease any such wet land from the farmer whose application for drainage assistance has thus been turned down. H.R. 8520 resembles similar bills which I have pressed upon Congress over the last 4 years. H.R. 10641, 85th Congress, introduced by me on February 10, 1958, likewise denied drainage assistance where the Secretary of the Interior found that wildlife preservation would be materially harmed, and directed the Secretary of the Interior instead to make a good-faith attempt to acquire such lands as a waterfowl refuge. H.R. 10641 was unfortunately never accorded a hearing. Nor was I able to procure hearings on similar bills which I have introduced in every Congress since then. A similar measure in the form of an amendment to this year's Agriculture Appropriation Act which I made on June 6, 1961, was defeated by a rollcall vote of 196–184. An amendment which I introduced to the agricultural bill of 1961 in July 1961, passed the House, but was unfortunately deleted in conference.

It is because of this long history of the effort to end the abuses of subsidized farm drainage that I am particularly grateful to the vigorous attention given the problem by the gentleman from Texas [Mr. POAGE], whose subcommittee favorably reported out H.R. 8520. I should like, too, to express my appreciation to Mr. John Heinburger, the learned and industrious counsel for the House Committee on Agriculture, whose draftsmanship has been of such help.

Mr. Speaker, H.R. 8520 can be a landmark in the history of the conservation movement. I hope that it is speedily enacted.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Minnesota [Mr. ANDERSEN].

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.

GENERAL LEAVE TO EXTEND

Mr. POAGE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks in the RECORD prior to the passage of the bill H.R. 8520.

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

There was no objection.

THE AMERICAN PRINTING HOUSE FOR THE BLIND

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 9030) to amend the act to promote the education of the blind, approved March 3, 1879, as amended, so as to authorize wider distribution of books and other special instruction materials for the blind, and to increase the appropriations authorized for this purpose, and to otherwise improve such act.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Oregon?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to know what this bill proposes to do.

Mrs. GREEN of Oregon. This is a bill which would provide for additional materials for blind children in the United States, for the Printing House for the Blind, in Louisville, Ky.

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 3 of the Act entitled "An Act to promote the education of the blind", approved March 3, 1879, as amended (20 U.S.C. 102), is amended to read as follows: "The Secretary of Health, Education, and Welfare is hereby authorized to pay over semiannually, to the trustees of the American Printing House for the Blind, located in Louisville, Kentucky, and chartered in 1858 by the Legislature of Kentucky, upon requisition of their president, countersigned by their treasurer, one-half of such annual appropriation upon the following conditions:".

SEC. 2. The paragraph of such section 3 designated "Second." is amended to read as follows:

"Second. No part of the appropriation shall be expended in the erection or leasing of buildings; but the trustees of the American Printing House for the Blind may use each year a reasonable sum of the annual appropriation for salaries and other expenses of experts and other staff to assist special committees which may be appointed in performance of their functions, and for expenses of such special committees."

SEC. 3. The paragraph of such section 3 designated "Sixth." is amended to read as follows:

"Sixth. The superintendent of each public institution for the education of the blind (or his designee) and the chief State school officer (or his designee), of each State and possession of the United States, the Commonwealth of Puerto Rico, and the District of Columbia, shall each, ex officio, be a member of the Board of Trustees of the American Printing House for the Blind only for purposes of administering this Act."

SEC. 4. The Act entitled "An Act providing additional aid for the American Printing House for the Blind", approved August 4, 1919, as amended (20 U.S.C. 101), is further amended by striking out "the sum not to exceed $400,000" and inserting in lieu thereof the following: "such sum as the Congress may determine".

SEC. 5. The amendments made by this Act shall be effective immediately after the date of its enactment.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 3, before the period at the end of line 6 insert the following: ", and by inserting after 'said Act' the following: ', under rules and regulations prescribed by the Secretary of Health, Education, and Welfare,'."

Mrs. GREEN of Oregon. Mr. Speaker, this bill was voted out of the subcommittee and the full committe by a unanimous vote. The ranking Republican on the committee, the gentleman from Pennsylvania has given his full support to this legislation. The purpose of H.R. 9030 is to provide for more Braille textbooks and other special instructional materials for blind children.

Since 1879, the Congress has appropriated funds to the American Printing House for the Blind in Louisville, Ky., to produce and distribute free textbooks for blind children. This program started with a permanent annual appropriation of $10,000. Since then, the Congress has periodically increased the amount authorized. The present ceiling of $400,000 annually was set in 1956.

The Special Subcommittee on Education received testimony from all major organizations interested in the welfare of the blind that this sum no longer is adequate to serve the growing number of blind schoolchildren. The subcommittee received this same word from many special schools for blind children as well as administrators of programs for blind children attending regular public schools.

The Federal contribution per blind child has been going downhill in recent years, because the present ceiling leaves no room to expand with the expanding number of blind students. If the $400,000 ceiling remains, the per capita contribution for this year will be $25.95, the lowest figure since 1952.

Let us consider, for a moment, a few figures. Just 3 years ago, there were 12,024 blind children served by this program. This fall there will be an estimated 15,800 blind students, an increase of 2,776 in the 3-year period. Yet the authorized maximum appropriation has remained the same.

H.R. 9030 would remove the $400,000 ceiling, so that the American Printing House for the Blind could base its request for appropriations on the needs of the blind children it serves. The requested funds, would, of course, be sub-

ject to review by the Appropriations Committee and the Congress.

The bill, H.R. 9030, also would permit the Printing House to use reasonable sums from its annual appropriations to pay salaries and expenses of experts to assist trustees in determining instructional materials to be supplied. It further would expand the ex officio membership of the Printing House Board of Trustees to include chief State school officers or their designees. This would give representation to blind children in public schools, as those in special schools are now represented.

Mr. Speaker, we have been told that books and other educational material for blind children costs 10 times as much as for those with the gift of sight. I trust that the House will pass this modest bill to aid in educating these handicapped youngsters.

Mr. KEARNS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I should like to say that everyone on our side is very much in agreement with the gentlewoman from Oregon and approves the bill.

Mr. SMITH of Iowa. Mr. Speaker, I move to strike out the last word.

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, The Congress first recognized a need for legislation in this area in the 45th Congress in 1879. At that time the Congress passed what is now chapter 6 of title 20 of the United States Code. The Congress established a trust fund of $250,000 and made a permanent appropriation of $10,000 per year and designated the American Printing House for the Blind as the agency through which benefits should be given.

As the population increased over the years, the appropriations have been increased. Just as with all of the rest of the population, we have an exploding population of blind children of school age. Just as with almost all other goods and services, the cost of production of materials for the blind has also increased. By 1956 the authorization had been increased to $410,000 per year, and 7,989 children were registered for purposes of the Federal act. That amounted to about $51 per pupil. By January of this year, the number had jumped to 15,973, and this 1956 authorization now amounts to only about $25 per pupil.

The number of blind children has increased so that the amount has been cut in half per child, and this does not account for the fact that there has been an increase in the cost of basic materials. It has been estimated that the cost of blind materials for blind children is 10 times greater than those for sighted children. Fifty-two percent of these children are in public schools spread throughout the Nation under thousands of jurisdictions, and this means that a very wide variety of textbooks used in public school systems throughout the country must be provided in a form that the blind children can use.

I think it is apparent from these facts that the authorization must be lifted. It needed to be lifted 2 or 3 years ago, and it seems to me under this situation and in view of the fact that we know that the number of blind children will continue to increase considerably, that we should remove the authorization ceiling so that there can be some flexibility in taking care of this increasing population as it increases.

In view of the fact that 52 percent of these children are in public schools, the bill provides that chief State school officials should be ex officio members of the board of trustees of the printing house. The code specifically sets forth the purposes for which the money can be used. The American Printing House provides braille books, braille magazines, and braille music. It also provides talking books and talking magazines and recorded educational tapes. It also manufactures special aids for use of the blind; such as, relief maps and globes, braille writers and slates, and various appliances to be used in mathematics.

This bill would clarify the act to make sure that some of the money could be used to secure the benefit of experts to help determine the materials to be supplied and to help distribute information to the State departments of education relative to the most economical and effective use of the materials provided. The entire philosophy has not been to provide financial assistance to States, but rather to create a source of materials not available elsewhere. The printing house furnishes many services and materials that are paid for through other sources. The total value of materials manufactured and distributed in the last fiscal year amounted to $1.5 million, or almost four times as much as the contribution by the Federal Government.

It is vitally important that blind children have these materials available to them when they are young and of school age. I imagine many of you know of some person who became blind as an adult, and if you do know such a person, you know that the adjustment for him was much more difficult than if he had been able to prepare for this situation when he was a child in school.

This is the kind of a matter that cannot wait. There are several organizations doing work in this field; including: the American Association of Instructors of the Blind, the American Association of Workers for the Blind, the American Foundation for the Blind, and the National Federation of the Blind. There are also many civic groups and social clubs that make substantial contributions to alleviate the hardships and to provide help in this area, but the aid of the Federal Government in providing these basic materials is very necessary, and I urge adoption of this legislation.

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

Mr. SMITH of Iowa. I yield to the gentleman from North Carolina.

Mr. WHITENER. Mr. Speaker, I should like to commend the Committee on Education and Labor for this very outstanding piece of legislation. As some members of that committee well know I have been very much interested in it because it will furnish to many of the near-blind help in getting textbooks which they can use in the public schools.

During my service in Congress I have been particularly interested in the welfare of our blind people. One of the problems with respect to the blind that has been of great concern to me has been the lack of special instruction materials available for our visually handicapped young people.

This spring I had the pleasure of having a thorough discussion on this matter with one of my constituents who has had years of experience in connection with the problems of the blind. My constituent, Mrs. John B. Abernathy of Stanley, N.C., called to my attention the restrictions imposed by the act of March 3, 1879, upon the distribution of educational materials for the visually handicapped.

Mrs. Abernathy has a visually handicapped little girl and has been one of the thousands of people in similar positions throughout the country who have experienced great difficulty in securing the proper type of educational material for their children.

I was so impressed with her knowledge of the problem that I urged her to write our distinguished colleague from West Virginia, Hon. CLEVELAND M. BAILEY, and give him the benefit of her recommendations on the education of the visually handicapped. Mrs. Abernathy corresponded with Mr. BAILEY, and the information she furnished was of great help to him in urging the enactment of legislation to liberalize and extend the provisions of the act of March 3, 1879.

I feel that the enactment of H.R. 9030 will do much to alleviate many of the hardship conditions confronting our visually handicapped in securing appropriate educational material. The additional funds made available under H.R. 9030 will enable a wider distribution of books and special instruction materials for the blind.

I am also pleased that the bill we have under consideration provides that superintendents of each public institution for the education of the blind and the chief State school officer of each State shall be a member of the Board of Trustees of the American Printing House for the Blind for purposes of administering this legislation. By having these educators directly associated with the printing and distribution of educational materials for the visually handicapped I believe we will get a broader and more realistic program for the distribution of educational material for our blind people.

Mr. Speaker, H.R. 9030 does not provide for the appropriation of a large sum of money. It is, however, one of the most important pieces of legislation that we have been called upon to consider at this session of the Congress. I support the passage of H.R. 9030, and I urge that my colleagues in the House join with me in having this bill enacted.

Mr. BURKE of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Kentucky.

Mr. BURKE of Kentucky. Mr. Speaker, I, too, would like to commend the gentlelady from Oregon as well as the committee for their handling of this bill. As one of the sponsors of the original legislation on this subject I appreciate very much, on behalf of the blind children of the United States, this action.

Mr. BURKE of Kentucky. Mr. Speaker, I have prepared a short statement of the history and purposes of the American Printing House for the Blind and the basic Federal act which H.R. 9030 seeks to amend in order to provide basic information to the House for proper consideration of this important legislation.

Activity: Publication of literature for the blind and the manufacture of tangible aids for their use.

Purpose: Provision of a national, nonprofit institution for the purpose of publishing literature for the blind in all media and the manufacture of special aids for the use of the blind which are not available on the commercial market. Under the Federal act "to promote the education of the blind," the printing house acts as the centralized, official textbook printery and manufacturer of educational aids for the blind students of less than college level being educated in public educational institutions throughout the United States and its possessions.

History and description: Chartered by the Commonwealth of Kentucky on January 23, 1858, as a national, nonprofit institution, the American Printing House for the Blind, located in Louisville, Ky., is the oldest national agency for the blind in the United States and the largest publishing house for the blind in the world. In providing literature for the blind, it publishes a wide variety of braille books and magazines, braille music, talking books and talking book magazines, and recorded educational tapes, and also manufactures special aids for use by the blind, such as relief maps and globes, braillewriters and slates, arithmetic appliances, and the like. Through the Federal act of 1879 "to promote the education of the blind," the necessary special materials required in the education of blind students of less than college level, and not available on the commercial market, are provided. To make this service of the Federal Government more flexible to the educational needs of the blind children of the country, the printing house maintains, out of its own funds, a continuous finished goods inventory worth approximately $1 million.

For the year ending June 30, 1961, the total value of materials manufactured and distributed amounted to $1,500,000. Of this amount, the Federal grant for textbooks and educational appliances totaled $410,000, the remainder comprising materials manufactured on contract, on a nonprofit basis, for other agencies for the blind or individuals wishing to supply materials at cost or less, usually free, materials supplied to schools for the blind or public school systems at cost for payment out of their own funds, plus donations to the Reader's Digest and Newsweek Talking Magazine Funds for the Blind.

Legal authorization: Act of the Commonwealth of Kentucky, January 23, 1858—acts of the General Assembly of the Commonwealth of Kentucky, 1857–1858, volume I, chapter 115, page 192—and subsequent amendments; Federal act "to promote the education of the blind, March 3, 1879—U.S. Statutes at Large, 45th Congress, 1879, session 3, chapter 186, page 467—and subsequent amendments.

Obligations, fiscal year 1961: Operating and administration, Federal only, $410,000.

The legislation which we are considering at this time is the result of many months of study, not only by the American Printing House for the Blind which administers the act, but also by a task force of the Department of Health, Education, and Welfare, the legislative committees of the American Association of Instructors of the Blind and the American Association of Workers for the Blind—separately and together—the American Foundation for the Blind, and the National Foundation of the Blind. While I do not suppose it would be possible to prepare legislation which would accomplish everything everyone wishes or please everyone, it is my understanding that the above agencies and organizations are strong in their support of H.R. 9030.

The amendments proposed in this bill are designed to bring the act of 1879 "to promote the education of the blind" into line with present day needs for special materials required in the education of blind children. I should like to outline categorically the proposed changes and the reasons therefor, as follows:

First. To increase the authorization of appropriation, by removing the present dollar ceiling authorized to be appropriated annually to the American Printing House for the Blind for purposes of the act, and to substitute therefor such sums as the Congress each year may determine shall be expended in accordance with the requirements of sections 101, 102, and 104 of the act—title 20, United States Code—under rules and regulations prescribed by the Secretary of Health, Education, and Welfare.

This phase of the legislation is of most immediate concern, for two reasons—the exploding population of blind children of school age to be served, and the mounting costs of production to provide such services. For example, at the time of the passage of Public Law 922 in 1956, only 7,989 children were registered for purposes of the Federal act. One 1 year later, in 1957, the number of children registered had jumped to 11,183, primarily as the result of the 1956 legislation which included all blind children in the Nation being educated in public schools with the seeing. By January 1961, the number had jumped to 15,973, while it is projected that there will be another increase of over 1,000 children in 1962, for a total of 17,175. These registration increases have meant that, with the present authorization ceiling of $410,000, established only 5 years ago, the current per capita allotment for the 1961–62 year amounts to only $25.68. I point this out to you, because a study made by the Office of the Secretary of Health, Education, and Welfare, in 1958, estimated that the cost of minimum basic materials for blind children was some 10 times greater than of those for sighted children, and that, at that time, there should be a per capita allocation of $40 per pupil, in order to supply the same minimum amount of material as was provided by the rate of $31.12 per pupil in 1956. As you well know, costs of production have increased substantially since that time, and the passage of the increased minimum wage law portends an additional increase in costs of materials provided under the Federal act.

In addition to the impact of the large increase in our blind school population in recent times, there have been far-reaching developments in educational trends in the past few years, which again make additional funds necessary. One of the principal trends is the increase in the number of blind children being educated in public schools for the seeing, either in special classes for the blind or as single placements in local school systems. As of January of this year, official registration figures show that 52.8 percent of the total blind school population is now attending public schools. As long as the education of blind children was limited in the main to centralized schools for the blind in each State, it was fairly easy to serve large numbers of children with a minimum choice of basic texts. However, because of the wide variety of textbooks used in public school systems throughout the country, too often the basic curriculum of texts in printing house catalogs does not conform to the requirements of individual public schools. To make available a much wider selection of basic texts by the printing house will, of necessity, reduce the total sales for individual titles, and thus increase unit costs.

I should also like to point out that the need of blind children for educational materials beyond the skeleton curriculum of textbooks is widely recognized. However, if all the available funds must be used to supply basic textbooks and the absolute minimum of basic aids, nothing is left for enrichment of curriculum. In the case of blind children, these supplementary materials are particularly important if we are to hope to give them an education comparable to that provided in the usual public school class for seeing children, and to avoid the mere verbal repetition of texts without the real understanding which the eye so easily provides.

Aside from the problems of increased numbers of children to be served, and increased costs of providing the services they require, there is also a most urgent need to make the provisions of the act "to promote the education of the blind" more flexible to changing needs as they arise. In this connection, it would appear that a specific ceiling of appropriation would no longer be necessary, for the following reasons: First, the Federal program under the act has been in existence for over 80 years, for more than 40 of which there has been an annual

justification before congressional committees for all money appropriated in excess of the permanent annual grant of $10,000. Second, the elimination of the ceiling would make it unnecessary for the Congress to take action periodically to increase authorization on such a long-established and vital program. Third, in many instances in the past, when there has been an unexpected and immediate need for increase in authorization, because of other urgent demands on the time of the Congress, it has taken 2 or more years to get necessary legislation passed, with the result that the educational programs for blind children have suffered from lack of adequate supplies. As an example, I should like to point out that, as a result of the drop to a per capita allotment of $27.77 for the 1961 fiscal year, by December 31, 1960, more than 70 percent of the total appropriation had been used with half the year yet to go. I introduced legislation early in 1960 substantially along the lines of the present bill, but it was impossible to get this legislation before the Congress for passage because of the press of other matters. Today, only 2 months after the beginning of fiscal year 1962, with a current per capita of $25.68, more than 47 percent of the appropriation has already been used, with some 14 schools for the blind and State departments of education, out of a total of 112, already completely out of funds for the remainder of the fiscal year, and with large orders of materials unfilled which are needed for school opening next month. If the ceiling of authorization can be removed, but the annual justification of need continued, the most flexible and practical use of the funds provided by Congress can be obtained.

Second. H.R. 9030 provides for inclusion on the ex officio trusteeship of the printing house, for purposes of the Federal act only, of not only the administrative heads of public educational institutions for the blind, or their designees, but also of the chief State school officers, or their designees, the latter of whom represent the blind children attending public schools for the seeing. As of January 2, 1961, the registrations of blind pupils eligible under the act totaled 15,973, of which 7,539, or 47.3 percent, were in public educational institutions for the blind, 8,258, or 51.7 percent, were attending regular public schools for the seeing, and 176, or 0.2 percent, were in special training classes for the adult blind of less than college grade. When Public Law 922 was adopted in 1956, which law extended the benefits of the act "to promote the education of the blind" to all blind children attending schools which are supported by tax funds, it failed to make the chief State school officers ex officio members of the printing house board of trustees, as agents for those blind children attending regular public schools for the seeing. The proposed amendment would correct the present inequity, and would give to the executive board of the American Printing House for the Blind the needed leadership for service to the children attending regular public schools for the seeing.

Third. A third provision of the present legislation states that "no part of the appropriation shall be expended in the erection or leasing of building; but the trustees of the American Printing House for the Blind may use each year a reasonable sum of the annual appropriation for salaries and other expenses of experts and other staff to assist special committees which may be appointed in performance of their functions, and for expenses of such committees." Please note that no money is to be used for salaries of committee members, all of whom are printinghouse trustees. These funds are needed, so that the printinghouse staff may have the benefit of the help of experts and people responsible for the education of blind children throughout the country in determining the materials to be supplied under the act, and for the forms in which such materials are to be made available. Additionally, such funds would provide the expenses for staff experts of the printing house to visit individual State departments of education and schools for the blind for the purpose of giving counsel on the most economical and effective use of quota funds, as well as helpful information concerning administrative procedures pertaining to the act. The printing house itself has been trying for several years, to the best of its ability, to provide such services at its own expense, but, as a national, nonprofit, private agency, offering the facilities of its plant and services to the entire field of work for the blind, it cannot adequately, nor should it be expected to, provide such counsel out of its own funds, nor through contributions from the general public.

In closing, I should like to point out that it has never been the intent of the act to provide all services or materials needed in the education of blind children, but to provide Federal funds for only those materials which cannot be purchased commercially and for which there is a need for a centralized, special, and, most important, continuing source of supply. In other words, the entire philosophy of the original act was not so much to provide financial assistance to the States for educating their blind children, as to create a source of materials not available elsewhere. This is just as essential today, and perhaps more so, as it was in 1879, when the original act was passed.

I cannot urge too strongly the immediate passage of bill H.R. 9030, to amend the act to promote the education of the blind. I should also like respectfully to call to the House's attention the fact that it is blind children, not schools, who need the books and materials, and the need is exceedingly drastic—as of now.

Mr. FOGARTY. Mr. Speaker, I rise to urge my colleagues to vote in favor of H.R. 9030, a bill to amend the Act To Promote the Education of the Blind, approved March 3, 1879, as amended. By acting favorably on this bill here in the House of Representatives today, we will make it possible for the other body to take action before the end of this session, so that an urgently needed increase in the authorization of appropriations can be implemented.

The program this bill would strengthen was established by the 45th Congress 82 years ago as a means of assuring the blind children of the Nation of a continuing central source of supply of braille textbooks and tactual educational aids through the American Printing House for the Blind, a nonprofit agency incorporated under the laws of the State of Kentucky. In 1919, the law was amended to provide for an annual appropriation of $40,000 to the printing house, in addition to the $10,000 permanent annual appropriation originally provided for. Since 1919, the law has been amended four times, principally to increase the authorization of appropriations to keep pace with the steady increase in the number of blind schoolchildren. In 1956, the last time the law was amended, the authorization of annual appropriations to the printing house through the Department of Health, Education, and Welfare was increased to $400,000.

Although this federally financed program is small in terms of the number of children served and the annual dollar cost, its vital significance to the Nation cannot be overemphasized. For it is with the aid of these special tools provided by the Federal Government that blind children in every State are enabled to receive an education through high school and go on to make their way in life—some with college training for a profession and others with vocational training for a trade—to become self-supporting, contributing citizens in their home communities.

In recent years, there has been a sharp increase in the number of blind children in the country as a result of retrolental fibroplasia, a blinding eye disease in premature babies which was caused by too much oxygen in incubators. Although the cause and prevention of this disease has been determined through the research effort of the National Institutes of Health, we will not experience peak school enrollment of children already blinded by it for approximately another 5 years.

It is estimated that slightly more than 16,000 blind children will receive textbooks and other materials under this program during the current fiscal year; and unfortunately, these blind children will be handicapped by having fewer books and aids available to them because this program is inadequately financed. As chairman of the Appropriations Subcommittee responsible for annually reviewing this item in the budget of the Department of Health, Education, and Welfare, I have seen the allotment of educational aids for each blind child seriously cut for the last fiscal year and the current one as the total number of children increased each year while the dollars available for the program remained at the level fixed by law in 1956.

We can correct this unfortunate situation and prevent it from happening in the future by taking favorable action today on H.R. 9030. This bill would do the following:

First. Increase the authorization of appropriations by removing the statutory ceiling, thus leaving the annual

appropriation to normal budgetary and appropriations procedures.

Second. Authorize the Secretary of Health, Education, and Welfare to make rules and regulations governing the administration of the program.

Third. Make a technical correction in the present law.

Fourth. Authorize the use of a reasonable part of the annual appropriation for administrative costs of the program.

Fifth. Expand the ex officio board of trustees of the printing house to include the chief State school officers or their designees.

These amendment would become effective upon enactment, so that the shortage in books and aids for the current school year can be partially remedied through a supplemental appropriation early in the next session.

I should like to emphasize the fact that H.R. 9030 is not a controversial bill. The Special Subcommittee on Education of the Committee on Education and Labor reported H.R. 9030 after hearings August 22 and 23 on identical bills—H.R. 8207 and H.R. 8212—introduced by the distinguished gentleman from Kentucky, the Honorable FRANK BURKE, and myself. H.R. 8207 and H.R. 8212 had the united support of the major national organizations for the blind and other interested groups.

Therefore, I urge my colleagues to vote in favor of this bill today, and I sincerely hope that the other body will take similar action before adjournment. By so doing, the Congress can assure blind schoolchildren throughout the country that their educational progress will not be hampered owing to the lack of adequate tools.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on passage of the bill.

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.

GENERAL LEAVE TO EXTEND REMARKS

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 9030 before its final passage.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

AMENDMENT OF FEDERAL EMPLOYEES' COMPENSATION ACT

Mr. PERKINS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8871) to amend the Federal Employees' Compensation Act of 1960.

The Clerk read the title of the bill.

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

Mr. GROSS. Reserving the right to object, Mr. Speaker, what is supposed to be done in this bill, if the gentleman will explain briefly.

Mr. PERKINS. I will be delighted to explain what this bill proposes. Last year the Congress amended the basic Federal employees' compensation law, raising the level of compensation afforded disabled Government workers so as to be more nearly in line with present-day living costs and standards. Employees of the District of Columbia government have long been covered by the basic law. Most of the provisions of the 1960 changes were automatically made applicable to District government employees. However, unintentionally and solely through inadvertence section 104 of the 1960 act, which applies to employees injured in Government service prior to 1958, excludes District of Columbia government employees. H.R. 8871 would do nothing more than to correct this inadvertent omission, thereby giving about 43 employees of the District government injured in service prior to January 1, 1958 the benefits of section 104 now enjoyed by other Government workers. At this point in the RECORD I should like inserted the following portions of the report of the House Education and Labor Committee on H.R. 8871 which explains in more detail this legislation:

BACKGROUND

In 1960, Congress amended the basic Federal employees' compensation law raising the level of several of its benefits so as to meet present-day conditions and standards. (Public Law 86–767, approved September 13, 1960; H.R. 12383, 86th Cong., H. Rept. 1743.)

By act of Congress July 11, 1919, 41 Stat. 104, the provisions of the Federal Employees' Compensation Act were extended to all government employees of the District of Columbia, with the exception of employees of the Police and Fire Departments, who were covered by another act. See 5 U.S.C. 794. By virtue of this latter-mentioned provision of the law, all the provisions of the 1960 act, with the exception of section 104, were automatically extended to the employees of the government of the District of Columbia. Section 104 contained a proviso designed to assure exclusion of nonmilitary employees, but which also, not by design, excluded government employees of the District of Columbia.

The committee report in 1960 (H.R. 1743) had this to say about section 104:

"This section increases the monthly pay upon the basis of which compensation for disability or death is computed under the Federal Employees' Compensation Act, as amended for every employee as defined in section 40(b) (1) or (2) of the act by 10 percent if the injury for which compensation is payable occurred before January 1, 1958, but after December 31, 1950; and by 20 percent if it occurred before January 1, 1951, but after December 31, 1945; and by 30 percent if it occurred before January 1, 1946. The section explicity provides that nothing in this or any other act of Congress shall be construed to make the increase in the monthly pay provided by this section applicable to military personnel, or any other person or employee not within the definition of section 40(b) (1) or (2) of the Federal Employees' Compensation Act. The section also explicity provides that the increase in the monthly pay authorized is applicable only with respect to any period beginning on or after the first date of the first calendar month following the enactment of this act and shall not be construed to permit the amount of compensation paid on account of an employee's disability or death to be increased more than 10 percent if the injury for which compensation is payable occurred before January 1, 1958, but after December 31, 1950; by 20 percent if it occurred before January 1, 1951, but after December 31, 1945; and by 30 percent if it occurred before January 1, 1946.

"The increase in the wage base authorized by this section will be applied to all cases on the roll to which this section is applicable before the increase in the minimum wage base for computing death benefits authorized by section 102 of this act and the increase in the minimum compensation rate in total disability cases authorized by section 101 of this act is applied."

H.R. 8871 will amend section 104 so that the reference to the definition section 40(b) (1) or (2) of the Federal Employees' Compensation Act in the first proviso will not operate to exclude employees of the government of the District of Columbia unless they were otherwise excluded (policemen and firemen) from the benefits of the Federal Employees' Compensation Act prior to the 1960 amendments.

On August 31, the General Labor Subcommittee held a hearing on the legislative proposal and heard testimony from representatives of the Board of Commissioners of the District of Columbia and the Director of the Bureau of Employees' Compensation of the U.S. Department of Labor. The evidence presented indicated that there were 43 District of Columbia compensation cases where benefits would be increased if H.R. 8871 were enacted and that the total amount of increased cost to the District of Columbia would be less than $10,000 per year. Of course, in future years the increased cost would decline, as section 104 applies only to employees who were disabled in government service prior to January 1, 1958. H.R. 8871, by express provision would take effect on October 1, 1960, giving these few employees the benefit of the 1960 act on the effective date of the 1960 benefit increases. Costs to make these retroactive payments would require an initial outlay of about $7,000 by the District government.

Section-by-section description of the bill

Section 1. This section inserts language in the first proviso of section 104 of the Federal Employees' Compensation Act Amendment of 1960 so that section 104 shall apply to employees of the government of the District of Columbia except those members of the police and fire departments, pensioned or pensionable, under the provisions of the Policemen and Firemen's Retirement and Disability Act.

Section 2. This section provides that the act will take effect on October 1, 1960.

Changes in existing law

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by this bill, as introduced are shown as follows (new matter is printed in black brackets, existing law in which no change is proposed is shown in roman):

The First Proviso of Section 104 of Public Law 86–767, September 13, 1960 (39 Stat. 742)

SEC. 104. Notwithstanding any other provision of this Act or the Federal Employees' Compensation Act, the monthly pay upon the basis of which compensation for disability or death is computed under the Fed-

eral Employees' Compensation Act shall be increased as follows: If such employee's injury (or injury causing death) occurred before January 1, 1958, but after December 31, 1950, such eligible employee's "monthly pay" shall be increased by 10 percent; if such employee's injury (or injury causing death) occurred before January 1, 1951, but after December 31, 1945, such eligible employee's "monthly pay" shall be increased by 20 percent; if such employee's injury (or injury causing death) occurred before January 1, 1946, such eligible employee's "monthly pay" shall be increased by 30 percent: *Provided*, That nothing in this or any other Act of Congress shall be construed to make the increase in the monthly pay provided by this section applicable to military personnel, or to any person or employee not within the definition of section 40(b) (1) or (2) of the Federal Employees' Compensation Act, [except that this section shall apply to employees of the government of the District of Columbia other than members of the police and fire departments who are pensioned or pensionable under the provisions of the Policemen and Firemen's Retirement and Disability Act]: *Provided further*, That this section shall not be construed to permit the amount of compensation on account of an employee's disability or death to be increased more than 10 percent if such injury (or injury causing death) occurred before January 1, 1958, but after December 31, 1950, nor more than 20 percent if such injury (or injury causing death) occurred before January 1, 1951 but after December 31, 1945, nor more than 30 percent if such injury (or injury causing death) occurred prior to January 1, 1946.

Mr. GROSS. I withdraw my reservation of the right to object, Mr. Speaker.

Mr. KEARNS. Reserving the right to object, Mr. Speaker, I should like to inform the House that the policemen and firemen are covered. This is an extra idea that the gentleman from Kentucky had. I want to say this is unanimous on our side.

Mr. PERKINS. That is correct. They are covered separately. This does not affect the policemen and firemen.

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

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first proviso of section 104 of the Federal Employees' Compensation Act Amendments of 1960 (74 Stat. 906) is amended by adding immediately preceding the colon, the following: ", except that this section shall apply to employees of the government of the District of Columbia other than members of the police and fire departments who are pensioned or pensionable under the provisions of the Policemen and Firemen's Retirement and Disability Act".

SEC. 2. This Act shall take effect October 1, 1960.

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

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and include an explanation of the bill H.R. 8871.

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

There was no objection.

PUBLIC WORKS APPROPRIATION BILL, 1962

Mr. CANNON. 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. 9076) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Tennessee Valley Authority and certain study commissions, for the fiscal year ending June 30, 1962, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on this bill be limited to 2 hours, one-half to be controlled by the gentleman from New York [Mr. TABER] and one-half by myself.

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

There was no objection.

CALL OF THE HOUSE

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

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

Mr. ROONEY. 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. 194]

Addabbo	Glenn	Moulder
Arends	Goodell	Multer
Ashbrook	Gray	Nix
Ashley	Green, Pa.	O'Brien, N.Y.
Ayres	Griffiths	Philbin
Barrett	Gubser	Powell
Barry	Hall	Rabaut
Bell	Halpern	Rains
Betts	Harrison, Va.	Riehlman
Bolling	Harsha	Rivers, S.C.
Boykin	Harvey, Ind.	Rogers, Tex.
Brewster	Healey	Roosevelt
Brooks, La.	Hébert	Rostenkowski
Brown	Holland	St. Germain
Broyhill	Holtzman	Schenck
Buckley	Hosmer	Scherer
Celler	Ichord, Mo.	Shelley
Clancy	Inouye	Siler
Cooley	Jones, Mo.	Slack
Corbett	Kee	Staggers
Curtis, Mo.	Keith	Stephens
Dague	Kilburn	Thompson, La.
Davis, Tenn.	Kyl	Thompson, N.J.
Delaney	Latta	Tollefson
Derwinski	Libonati	Ullman
Devine	McDowell	Vinson
Diggs	McSween	Wallhauser
Dooley	Machrowicz	Westland
Farbstein	Miller, Clem	Willis
Fino	Miller, N.Y.	Wilson, Calif.
Flynt	Minshall	Wilson, Ind.
Gallagher	Morrison	Young
Gilbert	Morse	

The SPEAKER pro tempore. On this rollcall 338 Members have answered to their names, a quorum.

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

AMENDING FEDERAL AIRPORT ACT

Mr. HARRIS submitted a conference report and statement on the bill (H.R. 8102) to amend the Federal Airport Act so as to extend the time for making grants under the provisions of such act, and for other purposes.

PUBLIC WORKS APPROPRIATION BILL, 1962

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri [Mr. CANNON].

The motion was agreed to.

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. 9076, with Mr. BOGGS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CANNON. Mr. Chairman, I yield such time as he may require to the gentleman from Ohio [Mr. KIRWAN].

Mr. KIRWAN. Mr. Chairman, it is my purpose to say a few words in behalf of this bill, H.R. 9076, known as the Public Works bill for fiscal year 1962.

Mr. Chairman, the budget estimates for 1962 were $3,732,038,000. Recommended in the bill is $3,662,548,500, a reduction of $69,489,500, and a decrease of $110,776,805 below the appropriations for fiscal year 1961.

Included in this overall total is $2,352,601,000 for operating expenses of the Atomic Energy Commission.

The bill includes 29 unbudgeted surveys put in by the committee; 6 unbudgeted planning starts, 56 new construction starts which were budgeted, plus 9 that the committee has put in, for a total of 64 new starts. There is a total of 436 projects in the construction program, with a total estimated cost of approximately $17 billion.

I would now like to take you back to when this country was young. At that time the railroads operated the coal mines. When a man with a large family of boys started to get ready to mine coal, he petitioned the railroad and they put a siding in to transport his coal. After he loaded the first car they charged him 20 cents per ton-mile. The railroads charged preferred customers only 2 cents per ton-mile. So you know how long the poor fellow lasted. He could not ship his coal. Often he could not pay his taxes and was taken to court for nonpayment of taxes, so he lost his mine and his land.

They knew they had a good thing and to use the language of the street today, they were the first "muscle men." I do not use this term in a derogatory sense.

Now we move on to the next group of "muscle men." There are still millions of acres of land grants that the railroads have never turned back to the U.S. Government. The railroads were told that if we got into a war, an emergency, they would have to haul the freight for 50 cents on the dollar. Down through the years they profited by the sale of land and made billions of dollars. Then when the day came in the Second World War, right here on the floor of Congress they said that the railroads could get the full amount for moving the freight and they never turned back those millions of acres of fine mineral land. They were the second group of "muscle men" in this Nation.

Now we come on to the third group, the lumber barons. I remember as a boy in Pennsylvania they had an Outlaw Baseball League. They built baseball bleachers in numerous towns where they were cutting up the forests—Johnstown, Oil City, Franklin, Williamsport. They charged 15 cents to get into the game. But after they uprooted the timber, they left nothing but the stumps and that was the end of the ball parks and everything else. They were the third group of "muscle men" that we had in America, as they use the term on the streets today—"He muscled in on this."

The next group of "muscle men" then came along and we see them now. About 5 years ago Congress authorized the building of these dams and powerplants under the upper Colorado storage project and I would like to tell you what the act said. Let me clear away the smokescreen that has been befogging the issue and return to the language of the authorizing act.

Under Public Law 485, the 84th Congress, 2d session, they authorized the Secretary of the Interior to construct, operate and maintain the upper Colorado River storage project and participating projects. The Secretary was authorized "to construct, operate and maintain the following initial units of the Colorado River storage project consisting of dams, reservoirs, powerplants, transmission facilities, and appurtenant works."

Let me proceed further, to section 7 of this act, which goes beyond the authorization and directs the manner in which the transmission of power produced by the storage project is to be handled.

Section 7 states that—

> The hydroelectric powerplants and transmission lines authorized by this Act to be constructed, operated, and maintained by the Secretary shall be operated in conjunction with other Federal powerplants, present and potential, so as to produce the greatest practicable amount of power and energy that can be sold at firm power and energy rates.

That is what the act said. Who passed that act? The Congress of the United States. Who signed the act? Was it Harry Truman? No. It was Dwight Eisenhower.

Who was the one that had charge of carrying out the act? The Secretary of the Interior. Was it Stewart Udall? Oh, no; Fred Seaton. He said the United States should construct those powerlines, just the same as the act says.

What do you find going on now? You find the fourth group of musclemen muscling in on the greatest project of all time.

The cost of these transmission lines in question is about $84 million. For $84 million they want to take over the project. They want to get the cream. If you can show me any muscle man in the history of the United States to equal that, that is going some.

The Federal Government is spending over $600 million under either system, whether the public power goes by the Government lines or the private utility lines. The question is who pays $84 million for certain backbone transmission lines. If the private utilities build these lines they will charge $593 million over 86 years for wheeling the power and the Government will have $273 million less in revenue for irrigation assistance. Secretary Seaton, after review of all the facts, recommended that all these lines be built by the Federal Government.

It comes down to whether the Federal Government, after building a house, is going to pay rent for it. If buying a house is good business, it is in this case. The Government is paying for most of the house, anyway, over $600 million. Why should it let the private utilities get in for an investment of $84 million and then charge the Government $273 million for the rent of the house? Under this the Government will lose $273 million in revenues needed for irrigation assistance. The reason we are building this project is not for private utilities but for irrigation. That is why it is being built.

We are now calling up the Reserves to be ready to defend this great country. But it will not be great long if we take actions such as are going to be proposed here—to give to the private utilities the opportunity to take the cream of the revenues from this project needed to provide irrigation assistance. That is why I am asking you here today to stop, look, and listen—do some thinking. This is the greatest country. This the handwork of God, and this is the greatest lawmaking body. Our form of government, the capitalistic system, is the best form of government that was ever put on earth. But, if you do not stop the abuses that are creeping into it, it will not last long. Keep an eye on what is going on. Just stop and think. Your Government, my Government, is spending $600 million on this project and somebody wants to come in and take advantage of it for $84 million. We will have $273 million less under the private utilities system at the end of 86 years, and we will not own the lines. If the Federal Government builds the lines we will have $273 million more and we will own the lines. If you learned anything in the first grade, you would know what would be the best system to follow. We do not have to go to a university to tell the difference between right and wrong and what is the best system to follow and what will make the strongest Nation. If we would only stop and do a little more constructive thinking, we would be better off and we would be much better as a nation on the whole.

In the year 2015, the revenue required for irrigation assistance to the States under the project will be $22.6 million.

Under the Federal system, we will have $83.3 million in the bank.

Under the utilities' latest official proposal, based on the Bureau of Reclamation's analysis, we will have a deficit of $3.5 million.

In the year 2027, we will need $283 million. Under the Federal system we will have $395 million.

Under the utilities proposal, we will have only $239 million, or $156 million less.

In the last year, 2049, under the Federal system, we will need $426 million. Under the Federal system, we will have $899 million. Under the utilities proposal, there will be $625 million, or $273 million less, and we will not own our own lines.

I believe the proper action that we should take on this issue is obvious to all of us. That is why I am asking every one of you here today to think, when you go home tonight, what this question means to your country. We cannot be continuing to call the boys up and sending them away to defend our country and then vote for something like this. So if you have ever done a job in your life, I am asking you to do the right thing today. There is no REA in the district I represent. There are about 5,000 stockholders of private utility companies. I get many letters from them denouncing my stand in support of public power.

But, I know that my idea about this thing is right, and that is why I am asking you to join with me on the right side and not let the people down. I hope that when this bill is voted on tomorrow it will be passed by this body just as Theodore Roosevelt, Dwight Eisenhower, and Franklin Roosevelt would have wanted to have it pass. It is the millions that we have spent on our national resources over the years that have made America what it is today. This is a great project we are considering, to provide essential irrigation to the upper Colorado States, and we should not take action here which will so seriously affect its economic feasibility.

Mr. JENSEN. Mr. Chairman, I yield myself such time as I may need.

Mr. Chairman, we are calling thousands of American boys now to serve in the Armed Forces. Why? For one reason and one reason only, and that is to protect and to preserve this great American constitutional system, the private enterprise system. That is why we are calling up these boys, and that is why we have fought every war in which the United States has been involved: for one reason and one reason only, and I repeat again, to preserve and protect this, the greatest form of government that was ever instituted by man, the capitalistic system, if you please.

Generally speaking, it is a good bill with a few exceptions. There are 436 project items in this bill scattered over the United States for reclamation, irrigation, hydroelectric power, dams, transmission lines, dredging of harbors, and every other sort of public program that one can imagine.

I have served on the committee that originated appropriations for the Bureau of Reclamation for the past 19 years. No man in this Congress today has supported more irrigation projects, reclamation projects, hydroelectric projects, hydroelectric transmission lines in the past 23 years than has the gentleman from Iowa who is now speaking to you and from the bottom of his heart. When we talk about the abuses that have been imposed upon the American people by certain private individuals and industries, let us not forget that as every one of those industries which have been carried on through, so to speak, from the signing of the U.S. Constitution when this Government was instituted, the end

result has been good. Let us not forget that for a minute and let this Congress act accordingly.

At the proper time when the bill is being read for amendment I shall offer an amendment to this bill. The outcome of that amendment—and may I say I am going to read the remarks which I have written myself—I have no ghost-writer—I am going to read these remarks because there are facts and figures therein which I do not want twisted out of shape by anyone because the outcome of that amendment might well determine whether or not the American free enterprise system will or will not be preserved. For the past 10 years Congress has respected and supported our committee position which has been to deny funds for building Federal transmission lines where private utilities and/or REA's and/or municipalities who have existing and adequate facilities to wheel electric power from Federal hydroelectric dams or will build such facilities and would contract in writing to wheel such power to preferred customers and others at reasonable rates which the private utilities affected in this bill have all agreed to do. My amendment seeks to reduce the amount requested in the bill for transmission lines on the upper Colorado project from $13,673,000 to $9,448,000. If these lines are left in the bill that money would be spent to start construction of Federal transmission lines which do not square with the yardstick which I have just explained and which the committee has used very honestly and effectly for the past 10 years.

I say parenthetically that when we started using that yardstick for the building of transmission lines and other requests for power facilities, there was a request for funds to build transmission lines all over the southeastern area from Washington to Florida which would have cost the Federal taxpayers hundreds of millions of dollars. Five union leaders of the electric workers union from that area appeared before the committee and said there is no reason in the world to appropriate all this money to build such lines, because public utilities, REA's, and municipalities are ready, willing, and able to build them. It was that day that the committee decided not to spend the people's money to build unnecessary transmission lines.

We used our yardstick on that bill and have for 10 years both in the House committee and in the Senate, the yardstick and the Congress has respected our action. But now because of political pressure from the top lobbyists for all Federal electric power whose end purpose is for Federal ownership and control of all electric power the bill as it comes to this House today includes $4,225,000 for construction of unnecessary transmission lines, the total cost of which, according to the Bureau's own estimate, will be $135 million which all the taxpayers of America are asked to pay; and get what in return? Nothing, absolutely nothing, including the people in these five States in the upper Colorado River area. Not even the REA will benefit one single dime over the payout period of 86 years if the Federal Government imposes this $135 million bill on the taxpayers of America, because the rate for power will be exactly the same under either program.

Let us keep the record straight. In addition to that, if this amendment to the bill is improved, the five statewide private utilities will pay $105 million in Federal taxes into the U.S. Treasury and the local and State taxes which they will pay during that payoff period amounts to the tidy sum of $184 million that those States can use to build schools, roads, and take care of their needy old people, and so forth.

Mr. Chairman, can this Congress deny these savings to the already overburdened taxpayers of America? There is but one answer—no, a thousand times, no.

Just a few days ago, on September 1, the Upper Colorado River Basin, the organization recognized and approved by an act of Congress in 1949 to supervise regulation, conservation, and utilization of the waters of the Upper Colorado Basin, passed a resolution endorsing the company's offer over the all-Federal scheme. Former Senator Ed Johnson a great statesman, is a member of that commission.

I have listened to the proponents'—of this project—great praise for Eisenhower, former Secretary Seaton, and they are praising Theodore Roosevelt. Where were they, where were all their praises when Mr. Eisenhower was President of the United States, and when Seaton was Secretary of the Interior? Did you hear any praises for them then, worthy of the name? The officers of the International Brotherhood of Electrical Workers from the upper Colorado River area representing several thousand taxpayers in union members, appeared before our subcommittee last spring in opposition to the all-Federal transmission system. The American Farm Bureau Federation, which represents 1,600,000 American farmers, have taken a very firm stand against construction of the all-Federal transmission system on the Colorado River storage project as being wasteful, uneconomical, and unnecessary. Mr. Chairman, it has been intimated that construction of these lines by the private utilities would cause a tollgate to be established which would be against the interests of the Federal Government.

Nothing could be further from the truth.

Mr. Chairman, the Administrators of the Bonneville Power Administration, the Southwest Power Administration, and the Southeastern Power Administration testified before our committee that the partnership program in effect in their areas was of great benefit to all the people, and was working wonderfully well. No complaint whatever by anyone, by the man on the street, the housewife, the businessman, the industrialist, or anyone else. They are satisfied with the rates, they are satisfied with the partnership program which exists in those areas.

Mr. Chairman, the general argument made by proponents of the all-Federal transmission grid in this instance for the control of the projects and so forth are misleading, and are charged with emotion rather than reason. Any fair and well-informed person can plainly see that these are intended to hide the grand design for an all-engulfing federalized power grid, completely covering the Nation. The threat of a federalized giant power grid is not a figment of the imagination. It is here. This is a major link in it. We are sure you will agree that if federalization of the electric utilities industry comes, then federalization of the farming—still our greatest free enterprise—industry, retailing industry, and other businesses in America cannot be far behind.

Mr. Chairman, we had best take a good look at what happened in England after the Socialists who masqueraded there for at least 30 years under the banner of the liberal Labor Party got in control of Parliament. They said to the farmers, they said to the housewife, they said to the merchant, they said to the industrialists, "Do you want electric power?" Of course, the answer was "Sure; we must have it." They said, "All right, then quit fighting the socialization of England." The rest of the socialization of England was an easy pushover. Do not pooh-pooh that. It is coming, just as sure as night follows the day, if we keep on putting government into business and keep spending, spending for everything imaginable, the sad day of reckoning will be here, and sooner than some may think.

Now, what happened to the electric rates in England? They increased, while the wages for the workers decreased. Why? Because the cost of government went up and up and up. The British publication, the Recorder, of September 4, 1948, had this to say:

> Two months after the nationalization, increases in the cost of electricity ranged from 20 percent to 50 percent in different parts of the country. And a recent order of the British electric authority, which brings into force a countryside minimum charge of three-fourths of a penny per unit, means that electric customers will pay an additional 2 million pounds a year for their electricity.

Yet, you hear the proponents of Federal power control tell you that the Federal Government, when it takes over, the power rates will go down. Why will they not go down? Because you know full well that government administration costs are many, many times greater than private administration costs. You might be surprised to know that the administration costs of the five utilities here involved is less than one-sixth of 1 percent, of their revenues. The administration costs for the Bureau of Reclamation is many, many times more than that.

That is one of the good reasons why private utilities can come pretty near matching the rates charged by the Federal Government in all areas of the United States.

I said at the outset of my remarks that the Federal power advocates' end purpose is complete Federal ownership and control of all electric power in these States. Here is one good proof of that statement. Before the G and T REA Co-ops in Oklahoma, Missouri, and Texas could get one kilowatt-hour of power from the hydroelectric dams owned by the Government in that area they were forced, against their will, to sign a contract which provided—and I

shall read the language; and let me tell you that the officials of those G and T's came into my office for a year and more and pleaded, "Cannot Congress do something to keep the Interior Department from forcing us to sign this contract before we can get one kilowatt of power?" But the heavy hand of the power czars were on them. Now here is the exact language in that contract. Listen to it and then think seriously about it.

The cooperative hereby grants to the Government the exclusive right, at the option of the Government, to purchase the transmission system at any time during the term of this agreement and lease for a sum equal to the principal of the cooperative's REA loan attributable to the transmission system, less the actual amount of the rental payments theretofore made by the Government on account of the principal of the cooperative's REA loan attributable to the transmission system and upon the expiration of the term of this agreement and lease for the sum of $10.00. In the event the Government is in default as to any payments under this agreement at the time it exercises its option hereunder, the Government shall be required to pay all payments in arrears before exercising its option hereunder.

Which means simply this, that the Bureau of Reclamation, Uncle Sam, could take over every REA line over which Federal power had been transmitted any time they wanted to take them over.

Clyde Ellis, the top REA lobbyist, played a leading role in persuading those REA officials to sign that contract and now he is parading all over America as the savior of the REA.

In 1953 when I took over the chairmanship of the House Interior Subcommittee on Appropriations, that committee voted unanimously to tell the new Secretary of the Interior that unless the provisions that I have just read was taken out of that contract the Interior Department would get not one dime for anything. Secretary Douglas McKay saw to it that it was deleted, as it was in other similar contracts.

Mr. Chairman, I am sorry and deeply concerned that a number of local and State REA officials and others have been sold a bad bill of goods by high-salaried Federal electric power lobbyists holding forth in this Capital City in believing that their REA co-op would escape the lash of the political power electric power czars, if and when that bunch get the needed political power they crave so much and are bound and determined to have, come hell or high water.

Mr. Chairman, I have supported every dollar Congress has appropriated for every inch of wire, every pole, every facility REA has built during my congressional career. We want the local and State REA officials and farmers to run their own business, which they can do and have done well, without dictation from Washington, D.C., or from anyplace in this wide world.

The adoption of my amendment, Mr. Chairman, will be a step in the direction of preserving our American way of life.

Mr. CANNON. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to include an evaluation of cost studies by the Bureau of Reclamation.

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

There was no objection.

Mr. EVINS. Mr. Chairman, we always listen to our genial friend the gentleman from Iowa [Mr. JENSEN] with interest if not always with profit. I do not know that he has convinced many Members. I am not persuaded that I will convince any Members, as most Members have made up their minds on this bill and the amendments to be offered. In a situation like this I do not generally propose to offer advice to my colleagues but I do propose this advice today, support the committee on this bill.

The Subcommittee on Appropriations has considered this matter and voted for the Federal transmission system. The full Committee on Appropriations has also voted on this matter and voted for the Federal Government to build the backbone transmission lines. Four years ago the Congress appropriated funds to make a study of this entire transmission line matter. During the Eisenhower administration we voted for a billion dollars to build and develop the upper Colorado storage project. We knew that in time after developing this area there would come a time when we should build the transmission lines. So the Congress has appropriated money to make a study to find out whether we should build these lines. The report of the study recommends that the Federal Government build the backbone transmission lines—an all-Federal system in the Colorado Basin. In addition, former Secretary of the Interior Seaton has studied this proposition and recommended that the Federal Government appropriate the money to build these backbone transmission lines. When Stewart Udall, our former colleague, became Secretary of the Interior he studied the matter and came up with the same conclusion and same recommendation. He reaffirmed Secretary Seaton's recommendation.

In addition to that, the people in the upper Colorado area, independent groups, bipartisan groups, nonpartisan study groups, all that are concerned and interested in this matter, have also come up with the same conclusion and recommendation that the Federal Government should build these backbone transmission lines. So we have five or six different recommendations that the Federal Government build them. If you do not want to take my advice or Mr. JENSEN's advice, then please take the recommendations of the seven independent bipartisan study groups that have studied this matter and recommended the Federal transmission system.

Mr. Chairman, in the main this is a good bill. This is a big bill. It is a very important measure. The measure really should be called a bill to provide for the conservation of the resources of the United States.

Concerning the amendment to be offered on the transmission lines issue, we have been bombarded and we have been propagandized with all sorts of figures. But, the reports all conclude that the Federal Government should build the transmission lines. The utilities do not object, where there is no population, for the Federal Government to build a transmission system and we are building them at this time. But, they do object where population centers are involved and where profits are involved.

Mr. Chairman, I repeat, the one main issue in this bill is whether the Federal Government shall build the backbone transmission lines for the upper Colorado storage project—this great development—or whether a combination of five utilities, namely, the Pacific Gas & Electric Co. and four other allied utilities, shall move in, build the transmission lines and take the power at the bus bars.

The Federal Government has authorized and developed the great upper Colorado storage project at a cost of approximately $1 billion, and now that the great dams of Flaming Gorge, Glen Canyon, and other major multipurpose dams are nearing completion it is important that the Government complete the job and interconnect and intertie these great power systems together with an all-Federal transmission system.

Mr. Chairman, it is important to note that the Congress, in passing the basic act, has already provided for the building of an all-Federal transmission system to tie-in the power grids of the Colorado storage project.

Both section 1 and section 2 of the basic act provide for the building of these transmission lines.

Moreover, compliance with other sections of the law requires that we operate the system with our own transmission lines. If we want to amend the law, let us do it in the regular way and not in an appropriation bill.

Section 3 provides for entering into contracts which will insure the repayment of the cost of the projects and these projects cannot be paid out without the Federal Government receiving the benefits from the power which it produces.

Section 5 of the basic act provides for the Colorado Basin fund and stipulates that all power revenues and other revenues in connection with the benefits of this project shall go into the basin fund and be available for defraying the costs of operation and maintenance of this great project.

Section 5d provides that funds in excess of operating needs in this project are to be paid into the Treasury and that all costs are to be repaid within 50 years from the date of completion.

Section 5e further provides that revenues in excess of all these requirements, including payments into the Treasury, are to be returned to the States and apportioned among the States—the five States of the Colorado Basin.

Section 7 of the basic act also provides that the transmission lines to be constructed—"shall be constructed and op-

erated with other Federal powerplants, present and potential, so as to produce the greatest amount of power and energy that can be sold at firm power and energy rates."

Mr. Chairman, where will we get the funds to comply with these provisions—to make the required payments to the States, to the Treasury, and to pay out the costs of this great prospect if the profits from the power operations are to be turned over to a combine of private utilities?

In this connection, let me call your attention to the following statement by Commissioner Dominy, page 11708, CONGRESSIONAL RECORD, June 29, 1961:

> To assure full development of the water resources of the Upper Basin States under the requirements of the Colorado River Storage Act, there must be available at least $952 million by the year 2049. Correspondingly, earlier goals of financial assistance must be met to keep construction of the participating projects on schedule.
>
> Under the private utilities' wheeling proposals and at a 6-mill power rate, the same rate as for Federal transmission systems, there would be a deficit in the basin fund in the year 2015. Even if it were legal to have a deficit in 2015, which it is not, the private utilities' proposal would accumulate only $591 million by the year 2045. Thus, we are short of the $952 million which the all-Federal system will produce at the same 6-mill power rate which is needed to assure full development of the upper basin water resources. The only way this financing could be accomplished would be to charge more for the power, and to do this would be to disregard congressional directives.

Mr. Chairman, we cannot afford to forego the present and potential benefits to the public, wisely provided by the Congress.

We must not be overwhelmed by special interests—by selfish interests—no matter how cleverly they have masqueraded the issues. We must be guided by the public interest and the public interest is clearly best served by a Federal transmission system. It will be cheaper in the long run. It will insure the economic soundness of the basic Colorado plan. It will make possible the maintenance of the 6-mill rate. It will provide the funds to pay off the entire project. In addition, under an all-Federal system, at the end of the life of a contract, the Federal Government would own the entire system, having the advantage of a completely unified system, whereas, under the utility proposal, the Government would continue to pay wheeling charges in perpetuity.

Mr. Chairman, it is obvious that the power company proposal is one-sided—it is unfair—it is not in the public interest and it should be defeated.

The original concept of the upper Colorado project should be maintained.

By accepting the proposal of the private utilities we would be jeopardizing the economic feasibility of the entire Colorado project—making it impossible to pay it off on schedule. Furthermore, the basic act provides that funds from power revenue will be used for irrigation assistance. The loss of income that would result from the private transmission system would greatly reduce the funds needed in the coming years to provide this assistance.

The Colorado storage project is primarily an irrigation development. However, the power features of the program are most important to provide for the payout of the project.

In this act and in the initial reclamation project of 1939, and in subsequent legislation, the Congress has repeatedly reaffirmed the fact in authorizing legislation that wheeling charges must not reduce the quality or time of irrigation systems in any way to adversely affect project feasibility or payout.

The Bureau's analysis and studies of the proposal clearly show that if the same rates for power to the customers is to be charged under the utilities proposal, as would be the case under all-Federal construction, there would not be available the necessary amount of irrigation assistance funds at critical times for the payout.

The only way this situation could be corrected under the utilities' proposal would be to increase the charges and the rates to the consumer—to charge the consumers more for the power under the utility proposal than under the all-Federal system.

I quote from the transcript of the Appropriations Committee hearings, page 512:

> It is obvious from the results of our analysis that the utility proposal will not meet the requirements of the act, * * * if the power rates to the preference customers are to remain the same as under an all-Federal system.

It is also obvious that the utility proposal will not meet the provisions of the act if the power rates to the preference customers are to remain the same as to the all-Federal system.

But, an increase in rates would mean increased power costs to the preference customers of an estimated $254 million over the period of the proposed contract.

By accepting the utility wheeling proposal, it is true the Government would reduce its investment for building the transmission facilities by approximately $118 million.

But, Mr. Chairman, to save this $118 million in investment we would be contracting to pay about $300 million more to wheel the power than it would cost for us to do the job ourselves with our own transmission line.

The Department of Interior studies show that total payments to the utilities for wheeling charges under their "all or none" proposal amounts to $625,137,000—an average of $7,672,000 annually. This represents a composite wheeling rate of 1.33 mills per kilowatt-hour on every kilowatt produced and sold from the Federal Government dams—whether wheeled by the utilities or not.

The composite rate on energy actually wheeled by the utilities would actually be 1.63 mills per kilowatt-hour—more than one-fourth of the 6-mill total rate and about twice as much as it would cost to wheel the power over a Federal system.

Moreover, Mr. Chairman, the utilities would have the advantage of having all Federal power tied in to their own companies—their own systems—thus permitting them to sell peaking power at any time to their own customers and also having the advantage of not having to construct generating facilities to produce additional power for their own sales.

In effect, this more than $300 million in excess wheeling charges would be a direct subsidy for the private power companies.

Mr. Chairman, this is another Dixon-Yates scheme. I label it Dixon-Yates of the Colorado storage project.

It is significant that the Congress through the Bureau of Reclamation is already funding four or five transmission lines in the area. The private utilities do not object to these because there are no customers in the area.

The basic principle of the reclamation laws should be reaffirmed and the Government should build the transmission system to have the benefits of this great project for the people and to protect the public interest.

All of the experts—all the outside accountants and study groups that have analyzed the program of the present administration have agreed that the Bureau's plan to build its own grid is sound and in the public interest.

This was recommended by former Secretary of the Interior, Fred Seaton, during the former administration. Secretary Udall of the present administration has also rightly concluded that the Federal Government should build the transmission lines. The Colorado River Association and other groups and organizations vitally and directly concerned with the Colorado project have also strongly urged the Federal transmission system.

The proposal has been bipartisan in its sponsorship. It should be bipartisan in the public interest.

Our committee recommends this action and I strongly urge, Mr. Chairman, the defeat of the private power proposal and that we go forward to construct the transmission lines to bring the benefits of power to people of the area at the lowest possible cost without subsidizing the combined corporate utilities. Although, Mr. Chairman, this is the main point at issue this bill is far more important than this one issue.

This is a most important bill for our Nation's continued growth, strength, and prosperity.

This bill, carries appropriations for the civil works functions of the Corps of Engineers, the Bureau of Reclamation of the Department of Interior, the several power agencies including the Tennessee Valley Authority, the Bonneville Power Administration, the Southeastern and Southwestern Power Administrations, and the Atomic Energy Commission.

The bill provides for appropriations totaling $3,662,548,500 which is $110,776,805 less than the total amount appropriated for these purposes in fiscal year 1961.

This bill calls for the appropriation of a large amount of money—it is a big bill—but the funds appropriated are for capital investments in our own country.

Mr. Chairman, this measure properly should be called the national resources development bill, for it is in every respect a bill concerned with the development of our natural resources.

A great deal of the misunderstanding that sometimes arises about this bill comes from failure to realize that appropriations for the civil works of the Corps of Engineers and the services of other allied agencies are indeed concerned with the development of our Nation's resources.

There are some who still think of this measure as a measure to provide employment. It does indeed have important effects in that regard, but the large stimulation it gives to national employment is one of the beneficial byproducts of this program.

There are some who still like to refer to the public works bill as a "pork barrel" bill. Nothing could be further from the truth.

Here we are dealing with investments, capital investments, for all our country. This is an all-American program in the full sense of that term.

In preserving our resources we are building a foundation for the future growth and strength of our Nation. Such an investment is vital.

Any productive concern, whether it is a private business or a powerful nation like our own, has to keep its productive capacity up to date. This bill is concerned with keeping our productive capacity up to date, developing our natural resources, and investing in the future of America.

Every region and area of our country wants to share equally in the growth of our Nation. Though it is impossible to develop all at once and simultaneously all of the water resources of our country, our committee has sought to reconcile the needs of all areas and to maintain a balance between all areas. This is a difficult task, as is evident from the printed record of the hearings which this year fills nine volumes. Those same volumes record the persistent effort that was made by our committee to effect a reasonable balance, and, as indicated, appropriations are made for projects in all sections and all areas of our common country.

I know that I express the feeling of all my colleagues when I take the occasion to pay a special tribute to our distinguished chairman, the gentleman from Missouri [Mr. CANNON], who personally carried on these hearings and labored with much of the details of this bill. His wide knowledge and long experience, and his fairness and objectivity were, as always, invaluable.

I deem it a great privilege to serve on this subcommittee with the gentleman from Missouri and the other distinguished members of our subcommittee—Hon. LOUIS C. RABAUT, of Michigan; Hon. MICHAEL J. KIRWAN, of Ohio; Hon. JOHN E. FOGARTY, of Rhode Island; Hon. JOHN J. RILEY, of South Carolina; Hon. EDWARD P. BOLAND, of Massachusetts; Hon. DON MAGNUSON, of Washington; Hon. JOHN TABER, of New York; Hon. BEN F. JENSEN, of Iowa; Hon. IVOR D. FENTON, of Pennsylvania; Hon. H. CARL ANDERSEN, of Minnesota; and Hon. JOHN R. PILLION, of New York.

I should like to pay a special tribute to the very able and efficient committee staff members—Carson Culp and "Gene" Wilhelm. They are very capable public employees.

BUREAU OF RECLAMATION

This bill provides total appropriations of $274,983,500 for 1961 reclamation programs and operations.

Our bill includes funds for six new construction starts, along with funds for continuation of projects now underway, including the great Colorado River storage project—that mighty new addition to the Nation's hydroelectric system which will serve a marketing area primarily in Arizona, New Mexico, Colorado, Utah, and Wyoming. This project is nearing the final construction phase. In 1963, power will begin being produced at Flaming Gorge. In 1964, power turbines will hum at Glen Canyon.

One highly significant aspect of the appropriations we are now considering is that the reclamation program is almost totally reimbursable and in fact 92.3 percent of the cost of all authorized reclamation construction will be returned to the Treasury. Furthermore, the reclamation program finances itself, in part, through receipts already paid into the Treasury under basic reclamation law.

Appropriations for reclamation throughout its 59-year history total $4.69 billion. Approximately 75 percent of this cumulative total has been appropriated in the past 16 years—47 percent in the past 10 years. Thus, the bulk of reclamation expenditures has been made in recent years on projects, some of which are still under construction and on others which have not attained a stage of maturity and maximum returns to the Treasury. Notwithstanding this circumstance, reclamation receipts to the Treasury from construction repayments, power revenues, accretions to the reclamation fund from sale of public lands, mineral royalties, and so forth, and miscellaneous income, currently aggregate in excess of $150 million annually.

When we consider the self-liquidating aspects of reclamation projects along with the large contributions they make toward the immediate objective of putting people to work and the longer-term goal of national growth to provide adequate opportunities for an ever-expanding population, it is evident that appropriations for such resources development are investments in our national economy and national strength in the truest sense of that word.

CORPS OF ENGINEERS

For carrying out all of the civil works activities of the Corps of Engineers, this bill provides total appropriations of $912,296,000.

For construction, $680.9 million is provided, which compares with a fiscal year 1961 appropriation of $706.8 million. This bill provides for 49 new planning starts, 58 new construction starts, including reimbursements to local interests for work accomplished, and for maintaining progress on going projects at reasonable rates of construction.

With the amounts proposed projects with an aggregate total Federal cost of $398.2 million will be completed.

The 58 new construction starts are estimated to have a total Federal cost of $506.6 million.

Included also is $10.6 million for the rehabilitation program, involving restoration work on older projects which represents requirements beyond the scope of normal maintenance. The amount included for this purpose will provide a good start on 20 major rehabilitation projects estimated to cost $40.8 million, and for planning 8 additional projects with an estimated cost of $10.6 million. The work and accomplishments of the Corps of Engineers represent some of our Nation's greatest developments.

TENNESSEE VALLEY AUTHORITY

This bill carries a total appropriation of $38,203,000 for the Tennessee Valley Authority. That is an increase of $17,683,000 over the $20,520,000 TVA budget for 1961 which was approved last year, but none of this amount is for the great power program of TVA. Funds appropriated are for other purposes in the comprehensive multipurpose regional development program of the TVA—navigation and flood control. The power program of the TVA is self-sustaining and self-liquidating.

The budget not only does not call for any appropriated funds in financing the power program for 1962 but the TVA provides payments to the Treasury of $50 million or more in power proceeds annually in reduction of and as a return on appropriations earlier invested in the power program.

On June 29 of this year, TVA sold the second $50 million in power revenue bonds which it has issued under the 1959 act of Congress, authorizing this agency to sell up to $750 million in securities to finance its electric power program. A day later, TVA made a payment of $30.1 million to the Treasury, raising to $51.4 the amount TVA has paid back to the U.S. Treasury. TVA has paid into the Treasury some $301 million in revenues.

In addition to these payments to the Treasury from power proceeds, TVA had invested $639,534,000 of net cash income from power operations in electric power facilities through June 30, 1960. In other words we have received more than $1 billion in returns from the TVA—$400 million in cash to the Treasury and $639 million in added power facilities.

Annual payments to States and counties in lieu of taxes represent another substantial financial return on the TVA power investment. The books show a total payment of nearly $6.5 million from TVA power revenues to 7 States and 137 counties in lieu of taxes during fiscal year 1961. In addition, the municipal and rural cooperative electric systems that retail power pay an estimated $10.9 million as taxes or tax equivalents to State and local governments in this same year. It is notable that the combined tax payments of the TVA and its distributors have increased by nearly 50 percent in the past 10 years.

BONNEVILLE POWER ADMINISTRATION

For the Bonneville Power Administration, this bill provides appropriations of $20,875,000 for construction, and $12,205,000 for operation and maintenance. The combined program for 1962 totals $33,080,000 as compared with $30,007,000 for the preceding year.

SOUTHEASTERN POWER ADMINISTRATION

For the Southeastern Power Administration a total appropriation of $800,000, consisting entirely of operation and maintenance funds, is provided in this bill. Of this amount, $66,000 is requested for purchase of energy and wheeling charges, to be devoted exclusively to the purchases of firming energy and the payment of wheeling fees under existing contracts with Virginia Electric & Power Co., and Florida Power Corp. The remaining $334,000 of the appropriation will provide for the system operation and maintenance, power contracts and rates, and general administration activities. This power administration, which serves a 10-State area, estimates that the total of this year's earned revenues will be approximately $19 million, and that the total revenue earned for the budget year will be approximately the same amount. Last year's actual revenues reached a total of over $20 million.

SOUTHWESTERN POWER ADMINISTRATION

The appropriation in this bill for the Southwestern Power Administration, in the total amount of $7,260,000, includes $950,000 for construction, $1,310,000 for operation and maintenance and $5 million for the "Continuing fund" to pay for the purchase of power or wheeling charges and for the leasing of transmission capacity from certain generating and transmission cooperatives.

ATOMIC ENERGY COMMISSION

Included in the bill this year also are the funds for many essential programs of the Atomic Energy Commission. The total appropriation provided for these vitally important programs is $2,380,301,000 as compared with a total of $2,483,235,000 in the 1961 budget for this Commission—a decrease of $102,934,000.

In summary Mr. Chairman, the atomic energy program, the work of the TVA, the Bonneville Power Administration and our other great power agencies, and the work of the Corps of Engineers and the Bureau of Reclamation are all important and must go forward.

This is a vital bill and a very important measure—and although it is difficult and indeed impossible to satisfy everyone on such a bill, the measure is worthy of approval as recommended by the Committee on Appropriations and I urge its passage.

BUREAU'S REPLY TO PRIVATE UTILITIES EVALUATION OF THEIR WHEELING PROPOSALS AND THE ALL-FEDERAL "YARDSTICK" SYSTEM—REPORT OF JUNE 1, 1961

The following are the points claimed in the private utilities June 6 presentation to the Public Works Subcommittee (hearings pt. 4, p. 2334) as the major errors and omissions in the Bureau's report and replies thereto:

Point 1. Line from Glen Canyon to Phoenix: Because power delivered to the Southern Division under the Federal system would be only 450,000 kilowatts whereas under the private utilities proposal 600,000 kilowatts might be delivered to Arizona, the cost of the Bureau's system is increased by the amount of $13,933,000, the private utilities estimate of the cost of a third line from Glen Canyon to Phoenix.

Reply to point 1: At the time the yardstick system was approved, the only fact definitely known was that six 230 kilovolt lines from Glen Canyon were required to transmit Glen Canyon Power. Consequently, the cost estimate for the yardstick system included the cost of 6 lines out of Glen Canyon even though only 5 lines were identified on the maps used. This is affirmed by Commissioner Dominy on page 507 in part 3 of the hearings. The private utilities now claim that the $176,245,000 cost estimate for the yardstick system should be increased by almost $14 million to recognize the sixth line.

Point 2. Lines and facilities: The Bureau used longer lengths for certain transmission lines common to both systems (the noncontroversial lines) under the private utilities' proposal than under the Bureau's yardstick system and included certain substation facilities claimed by the private utilities to be not needed in the Federal system under their proposal. The private utilities contend that these transmission lines should have been the same length in either proposal. The private utilities contend that these transmission lines should have been the same length in either proposal. The amount claimed for this item by the private utilities is a reduction by the Federal investment under the utilities' proposal by $4,999,000.

Reply to point 2: Under this point, the private utilities basically are trying to claim that under the wheeling proposal the Bureau should locate certain lines in the same locations as in the yardstick system regardless of the economics involved. They are also claiming that certain other costs were overlooked in the yardstick system. The Bureau is comparing what it would do under All-Federal construction with what it would do under the wheeling proposals. The economics of transmission line locations dictate that under all-Federal construction without interconnection, a short routing should be adopted for the lines from Glen Canyon to Four Corners to Curecanti.

The private utilities contend that the cost of construction of certain switchyard facilities was included but not needed in the Federal system under their proposal and have, therefore, deducted an amount from the estimate of the Federal system under the wheeling proposal to account for this. This contention is not correct. The Bureau always includes the costs of switchyards with the costs of the powerplants and not with the costs of transmission facilities. These switchyard facilities would be practically the same with or without wheeling and in either case would be constructed by the Bureau. The private utilities contend that the Bureau omitted the cost of one transmission line for Flaming Gorge to Vernal, Utah, in the all-Federal system. This is not an omission but a problem of identification. In the cost estimates under the wheeling proposal, the Bureau identified the two lines. Under the yardstick system, it identified only one line and included the cost of the second line in the $13 million plus allowed for future lines and substations. This is explained in Commissioner Dominy's testimony on page 519 in part 3 of the hearings.

Point 3. Wheeling costs: The Bureau overstated the wheeling costs under the private utilities' proposal by so-called improper application of the wheeling offers. The overcharge claimed by the private utilities is $62,528,000 for the 86-year period of the study.

Reply to point 3: The utilities charge that the Bureau overstated the wheeling charges because of improper application of the wheeling offers.

The Bureau's original analysis of the wheeling proposal was based on offers and information it had received from the utilities at the time of preparation of the report. Subsequent to preparation of the report, Pacific Power & Light modified its proposal (letter of November 10, 1960) by offering a rate of one mill per kilowatt-hour for wheeling from Flaming Gorge to Pilot Butte. This modification reduces total wheeling costs by $14,694,000, and has been taken into account in the Bureau's July 1961 analysis of the utility offer based on their interpretation of wheeling costs.

Arizona Public Service Co. claims the Bureau could have saved almost $17,000,000 in wheeling costs by accepting its alternate offer of $6.74 plus taxes per kilowatt-year rather than its offer of 1,177 mills plus taxes per kilowatt-hour. Actually the company computations using $6.74 per kilowatt-year show the so-called $17,000,000 savings by calculating wheeling costs using smaller loads on its system than the Bureau used. However, the Bureau's July 1 evaluation of the utilities proposal incorporates $6.74 per kilowatt-year applied to the correct loads.

The private utilities contend that the wheeling costs paid the Public Service Co. of New Mexico could be reduced by about $8 million if the kilowatt-year rate had been used in lieu of the kilowatt-hour rate. Estimates of wheeling charges based on New Mexico's offer of 50 cents per month per kilowatt of maximum demand during the preceding 12-month period would be less reliable than an estimate of wheeling costs based on a wheeling charge of 1.25 mills per kilowatt-hour for energy delivered at Albuquerque. This is a matter of engineering judgment and there is no good reason for the Bureau to give an $8 million advantage to the private utilities without reasonable assurance that it could be obtained. As in the previous two items, however, the Bureau has included the utility kilowatt-year rate applied to the correct load in its July 1 evaluation of the utility proposed.

On October 28, 1960, Mr. L. R. Patterson of Public Service Co. of Colorado advised us that as near as the company could determine the wheeling charge for Public Service Co. of Colorado has been applied correctly and that by including displacement values as supplied to them by the Bureau it was essentially in agreement on the wheeling dollars. The company later claimed that the Bureau has overstated the wheeling dollars to be paid Public Service Co. of Colorado because the Bureau would have to pay them under the yardstick system and only the difference should be used. However, in recent testimony before the Senate, the company has withdrawn its criticism.

The Utah Power & Light Co. in computing its wheeling costs for comparison with the Bureau's used $7.739 per kilowatt-year rather than $7.75 per kilowatt-year, the figure furnished to us by the company and agreed upon in meetings with its representatives as the rate to be used in the Bureau's analysis. Also, in its letter of September 16, 1960, the company suggested a rate to be used in the Bureau's analysis. Also, in its letter of September 16, 1960, the company suggested a rate of 0.15 mills per kilowatt-hour be applied to the gross generation of the central Utah plants specified to it by the Bureau. In its computations the company has reduced the specified generation of central Utah plants by 7 percent for losses before applying the suggested rate of 0.15 mills per kilowatt-hour. The company's claims that the overstatement of its wheeling charges by the Bureau is due to application of Utah wheeling charges to the loads to be served adjacent to Glen Canyon.

This claim is false. The Bureau analysis specifically exempted these loads from wheeling. However, the Bureau has also applied the company interpretation, using correct loads, in its July 1 evaluation.

Most of these items under point 3 are discussed by the Bureau witnesses on pages 508–510 in part 3 of the hearings.

Point 4. Transmission losses: The Bureau did not consider increased project revenue which would result from reduced transmission losses alleged under the utilities proposal. The private utilities claimed this increase in revenue would accumulate to about $75,347,000 for the entire study period.

Reply to point 4: The Bureau met with the individual private utilities, explaining its interpretation of their offer, including the matter of losses which were quoted variously up to 10 percent on kilowatts, and asked each if their offer was properly interpreted and handled. There were no disagreements. It can only be concluded from the official offers that the utilities either did not recognize or intended to keep for themselves any benefits in savings in losses resulting from interconnections.

It is a well-known fact that the losses on an independent Federal transmission system plus the losses on the private utility systems without any new interconnections between them would be higher than the losses on the two systems if new interconnections are made.

The same decrease in losses can be secured by the Bureau building the lines and effecting interconnections with the private utilities without wheeling being involved. It must be recognized that in the interconnected system not only are the losses to the Bureau reduced but losses to the private utilities are also reduced. This savings in losses is associated with the interconnection and more efficient use of the systems through displacement and are not related to the wheeling offers. For these reasons, it is appropriate not to claim any added revenue due to savings in losses. The matter was explained in the Bureau's testimony beginning on page 519, part 3, of the hearings.

Point 5. Operation and maintenance: The Bureau estimate of operation and maintenance for the yardstick system amounts to about 1.29 percent of the investment in transmission facilities, but under the private utilities' proposal the Bureau estimate of operation and maintenance of the Federal portion of the transmission system amounted to 2.29 percent of the investment in transmission facilities. The private utilities claim this resulted in an advantage to the Bureau system of about $71,070,000.

Reply to point 5: The private utilities claim the Bureau has overstated the operation, maintenance, and replacement costs of the facilities the Bureau will construct under the private utilities proposal. They base this claim on a contention that the relationship between operation and maintenance costs and the investment in transmission facilities is a constant percentage for all systems. That there is not such a constant relationship is shown by the fact that the operation and maintenance costs of the Arizona Public Service Co. system since 1952 averages 4.45 percent while on Utah Power & Light Co. system operation and maintenance costs for the last 10 years average 1.97 percent. Recognizing the frailties of a rule of thumb approach, the Bureau based its operation and maintenance costs on a detailed study of the personnel requirements for transmission line and substation operation and maintenance crews using its experience on other similar Bureau systems and taking into account the nature of the terrain and isolation of facilities, the long distances to be traveled by maintenance crews, and the efficient utilization of personnel. The Bureau concludes its estimates for operation and maintenance costs made on this basis are a reasonable estimate and the results are consistent with conditions normally found in practice.

Point 6. Interest costs: The private utilities claim interest savings would amount to $135,787,000 for the study period based upon the foregoing points.

Reply to point 6: The claimed savings in interest of $135,787,000 would not materialize with elimination of the cost distortions made by the private utilities.

SUMMARY

Notwithstanding the unjustified increase of the spread in cost of Federal facilities between the yardstick system and the wheeling proposal, the unilateral reduction in power and energy wheeled for computing wheeling charges, the arbitrary increase in revenues from saving losses, and the unrealistic reduction of operation and maintenance costs for the Federal facilities under the private utilities proposal, the studies of the private utilities claim an advantage for the wheeling proposal of only $2,284,000 in irrigation assistance by year 2049. From their own studies this advantage would be wiped out in less than 9 months by the $3,249,000 more net revenues each year beginning in 2049 under the Federal system than under the private utilities proposal. Their own figures show that at the end of a hundred-year period the Federal system would provide $43,202,000 more irrigation assistance than under the private utilities proposal.

In conclusion, the results shown in the report on June 1, 1961, are based upon maximizing the costs of the Federal system and minimizing the costs under the private utilities proposals based on erroneous assumptions.

The Bureau's July 1 evaluation of the wheeling offer incorporating the utilities own evaluation of wheeling offers is shown in column 4 on the attached table.

TABLE I.—*Colorado River storage project—Bureau's comparison of financial analyses of Federal transmission systems with wheeling proposals of private utilities*

[Cost unit, $1,000]

Item No. and description	Yardstick system-basic analysis, October 1960 study (1)			Modified Federal transmission system not interconnected to Four Corners steamplant, June 1961 study (2)			October 1960 analysis of private utilities' proposal (3)		
1. Year of power payout	2007			2009			2012		
2. Year of irrigation payout	2011			2012			2017		
3. Years for power payout	44			46			49		
4. Years for irrigation payout	48			49			54		
INVESTMENT									
5. Power allocation without transmission investment	$489,419			$489,419			$489,419		
6. Construction cost—Transmission	176,245			[2] 182,945			57,770		
7. Interest during construction	6,292			6,352			2,451		
8. Total power allocation	671,956			678,716			549,630		
9. Irrigation allocation	90,478			90,478			90,478		
10. Interest on power allocation	454,737			486,983			421,128		
11. Total repayment obligation	1,217,171			1,256,177			1,061,236		
	By 2015	By 2027	By 2049	By 2015	By 2027	By 2049	By 2015	By 2027	By 2049
12. Total operating revenue	$1,698,444	$2,100,930	$2,749,338	$1,698,444	$2,100,930	$2,749,338	$1,698,444	$2,100,930	$2,749,338
OPERATING COSTS									
13. Operation and maintenance	227,287	283,147	385,557	236,174	293,870	399,646	182,951	227,411	308,921
14. Replacements	61,450	76,858	105,106	61,577	76,937	105,097	43,188	54,036	73,920
15. Steam energy purchases [4]	61,210	78,490	89,270	61,210	78,490	89,270	61,210	78,490	89,270
16. Wheeling charge payments							374,681	466,883	625,137
17. Total operating costs	349,947	438,495	579,933	358,961	449,297	594,013	662,026	826,816	1,097,248
18. Net revenues	1,348,497	1,662,425	2,169,405	1,339,483	1,651,633	2,155,325	1,036,418	1,274,114	1,652,090
19. Repayment of investment	762,434	762,434	762,434	769,194	769,194	769,194	[5] 640,108	640,108	640,108
20. Interest payments	454,737	454,737	454,737	486,983	486,983	486,983	421,128	421,128	421,128
21. Total interest and repayment	1,217,171	1,217,171	1,217,171	1,256,177	1,256,177	1,256,177	1,061,236	1,061,236	1,061,236
22. Irrigation assistance to States	131,326	445,264	952,234	83,306	395,456	899,148	−24,818	212,878	590,854
23. Requirement for irrigation assistance to States	22,647	283,078	426,151	22,647	283,078	426,151	22,647	283,078	426,151

See footnotes at end of table.

TABLE I.—*Colorado River storage project—Bureau's comparison of financial analyses of Federal transmission systems with wheeling proposals of private utilities*—Continued

[Cost unit, $1,000]

Item No. and description	July 1961 analysis of private utilities' proposal using private utilities' interpretation of wheeling offers [1] (4)			July 1961 analysis of private utilities' proposal using Bureau's same interpretation of wheeling offers as used in October 1960 analysis [1] (5)		
1. Year of power payout	2011			2013		
2. Year of irrigation payout	2016			2018		
3. Years for power payout	48			50		
4. Years for irrigation payout	53			55		
INVESTMENT						
5. Power allocation without transmission investment	$489,419			$489,419		
6. Construction cost—Transmission	[2] [3] 60,030			[2] [3] 60,030		
7. Interest during construction	2,230			2,230		
8. Total power allocation	551,679			551,679		
9. Irrigation allocation	90,478			90,478		
10. Interest on power allocation	414,021			435,705		
11. Total repayment obligation	1,056,178			1,077,862		
	By 2015	By 2027	By 2049	By 2015	By 2027	By 2049
12. Total operating revenue	$1,698,444	$2,100,930	$2,749,338	$1,698,444	$2,100,930	$2,749,338
OPERATING COSTS						
13. Operation and maintenance	182,848	227,308	308,818	182,848	227,308	308,818
14. Replacements	44,221	55,321	75,671	44,221	55,321	75,671
15. Steam energy purchases [4]	61,210	78,490	89,270	61,210	78,490	89,270
16. Wheeling charge payments	357,554	444,644	593,993	376,696	468,028	624,844
17. Total operating costs	645,833	805,763	1,067,752	664,975	829,147	1,098,603
18. Net revenues	1,052,611	1,295,167	1,681,586	1,033,649	1,271,783	1,650,735
19. Repayment of investment	[5] 642,157	642,157	642,157	[5] 642,157	642,157	642,157
20. Interest payments	414,021	414,021	414,021	435,705	435,705	435,705
21. Total interest and repayment	1,056,178	1,056,178	1,056,178	1,077,862	1,077,862	1,077,862
22. Irrigation assistance to States	−3,567	238,989	625,408	−44,393	193,921	572,873
23. Requirements for irrigation assistance to States	22,647	283,078	426,151	22,647	283,078	426,151

[1] Using new load data as revised June 19, 1961, and revised Federal costs based on line under construction, Glen Canyon to Shiprock, and other recent cost data.
[2] Preliminary.
[3] Cost is necessarily larger than previously shown because only increased costs of the modified system can be reflected in this part of the system. There are no offsetting decreases in this portion of the system as is the case in arriving at the $183,000,000 estimated for the total modified system.
[4] Includes $1,750,000 for Hoover replacements.
[5] Short of repayment of irrigation allocation within 50 years as required by law.

Mr. JENSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Chairman, as I have repeatedly said, I have enjoyed being a member of this committee for some time. I have the greatest respect for the membership of the subcommittee and for our very fine clerks. A long time was spent on this bill, and I think it is unfortunate that some subcommittees hold hearings running simultaneously with hearings of other subcommittees, and speaking for myself, it so happens that the hearings of this particular subcommittee ran at the same time as another subcommittee which I had to attend most of the time.

Mr. Chairman, for many years now, we have all been a party to voting huge sums of money for the specific benefit of the so-called reclamation states of the West. Billions of the taxpayers' dollars have been spent on Federal projects designed to provide water storage, irrigation, and flood control on western rivers. There is little doubt in my mind that much of this expenditure provided great benefits both for the area involved and for the Nation as a whole.

Conservation of water is of prime importance to our Nation today, and the economic growth of the Western States which has been made possible by these water projects has made a real contribution to our national economy and to the prosperity and well-being of our citizens.

Unfortunately it has been increasingly evident that public power proponents have seized upon reclamation projects as another means of obtaining public subsidy. The people of the East who pay a lion's share of the cost of these reclamation projects through their taxes, have done so willingly in the belief that they were aiding irrigation and water conservation projects. But now that reclamation is obviously becoming the tool of public power, I do not believe it is the responsibility of the people in the East to further subsidize the already heavily subsidized preference electric power users. These privileged people seem to have come to the conclusion that the billions of dollars spent for giant dams was spent to provide them with cheap electricity.

There is obvious justification for the construction of electric power facilities in conjunction with these dams, since the revenue derived from the generating facilities provides for partial payment of the taxpayers' investment. There is no conceivable reason, however, why the preference customers of the West should obtain this power at anything less than the going rate for wholesale electric power in their respective areas. Nor is there any conceivable reason why they should avoid paying their share of taxes on this power.

There is absolutely no reason why, for example, grandiose electric power transmission lines should be built to carry this Federal tax-free power to these customers. In many cases in the West the power could as easily be carried to them over existing lines, many of which are owned and operated by private electric utilities.

A good case of point is the current attempt on the part of the Bureau of Reclamation to waste taxpayers' money on transmission lines for the Colorado River storage project. This project, which started out with the cost estimate of $760 million has already reached over a billion dollars. The private utilities in the area have offered to carry power over their lines for a very reasonable wheeling charge to the Bureau of Reclamation's preference customers. The preference customers, as a matter of fact, will receive that power at a rate identical to that which will be charged if the Bureau of Reclamation were to build the transmission lines. The conclusion is obvious that these people want the Federal Government to build these lines as part of a huge Federal power network spreading over the whole Nation.

It is now time for us to take a good look at these tactics. It is time for us to decide that unless the public power proponents cease their attempts to obtain future subsidies under the guise of reclamation it may be necessary to curtail otherwise desirable water development projects. Those who are concerned with legitimate reclamation and water

projects should consider the consequences of what public power people are doing. Unless they do, we are going to have to look at every reclamation project in a new light.

Mr. Chairman, the Bureau of Reclamation estimates that it will cost them $183 million to provide transmission lines to deliver the electric power to preference customers from the upper Colorado project to the five States—Utah, Wyoming, Colorado, Arizona, and New Mexico.

According to testimony given our committee most of these preference customers are now being served by investor-owned utilities in those States. It is estimated that two-thirds of these suggested Federal lines, estimated to cost the taxpayers of the Nation about $135 million, are not necessary because the private utilities have offered to transmit or wheel the power over their existing and planned lines for firm and reasonable rates.

As a matter of fact on September 1, 1961, the Upper Colorado River Commission adopted a resolution endorsing the proposal of the private- or investor-owned utilities.

Should the Federal power boys succeed, all these funds will come from the taxpayers of the country, and on the basis of Pennsylvania's share of the Nation's tax burden—around 6.95 or 7 percent—Pennsylvania taxpayers' contribution will be $9,450,000. This exceeds that from the five States involved as follows:

	Percent	*Amount*
Colorado	0.94	$1,280,000
New Mexico	.37	500,000
Utah	.36	490,000
Wyoming	.16	220,000
Arizona	.57	770,000
Total	2.40	3,260,000

The proposal of the private utilities is not new because similar arrangements are quite common and is the same type that is presently in use by the Southwest Power Administration and the Southeastern Power Administration with the utilities in those areas.

The proposed plan of the investor-owned utilities is certainly consistent with what I believe is the intent of Congress—that is not to appropriate funds for transmission facilities when suitable wheeling contracts can be entered into with private facilities.

The Colorado River storage project is a water development project. The generation of electric power is its secondary purpose and the revenues derived from the sale of this power must first pay for the power facilities and then provide money to bring water to land—irrigation—and for other purposes. Therefore the sooner the electric facilities are paid for, the earlier assistance can be given for irrigation, and so forth.

Should the proposal of the private utilities prevail, not only would there be a saving of $135 million in construction costs but also payments of $1.2 million per year from the private utilities out of "wheeling" revenues in Federal income taxes and $2.1 million annually in State and local taxes. Of course the Bureau of Reclamation would pay none.

Other benefits that would accrue from the private utilities proposal would be the repayment to the Federal Treasury the heavy cost of the power facilities at least 7 years earlier—thus permitting of earlier irrigation construction or other water projects. It would also make available about 57,000 kilowatts more power for sale to preference customers through elimination of heavy transmission line losses on the Bureau's proposed system. Sale of this extra energy at 6 mills would increase project revenues by $1 million per year.

I trust when the amendment is offered to eliminate the Bureau of Reclamation's proposed transmission lines that it will be adopted.

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

Mr. FENTON. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Mr. Chairman, I want to compliment the gentleman on his excellent statement and say that Pennsylvania is a lucky State to have the gentleman as one of the ranking members of the Subcommittee on Public Works of the Committee on Appropriations of the House. Not only for the taxpayers of the country but for private industry, we in Pennsylvania are proud of the gentleman. I may say further that we in Pennsylvania are particularly proud and pleased on what Federal projects the gentleman from Pennsylvania, Dr. FENTON, has been able to work out for the communities in our whole State, in the present appropriation bill. Democrats and Republicans alike in Pennsylvania should appreciate the gentleman's excellent services on the House Appropriations Committee. Congressman FENTON'S accomplishments and success are based on his long service, experience, and legislative competence, as well as his earned seniority in the House and on the House Appropriations Committee.

Mr. FENTON. I thank the gentleman very much.

Mr. KIRWAN. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, the public works appropriation bill now before the committee recommends $3,662,548,000 for fiscal year 1962—about a $70 million reduction from the requested amount. The vast portion of the recommended amount goes to the Atomic Energy Commission—some $2.3 billion.

The water resources programs of the Corps of Engineers and the Bureau of Reclamation are provided for in the amount of $960,369,500.

These funds are allocated to 436 projects and activities, in all of the States, with a total estimated Federal cost of approximately $17 billion. This $17 billion cost is, of course, based on the assumption that all activities recommended in this bill will come to full fruition and ultimate construction. It might very well be that many of the survey and planning starts will result in dropping some of the projects as infeasible and not economically justified.

Mr. Chairman, this bill has often been called the pork barrel and writers and cartoonists use it to have a field day in lampooning the actions of the Members of the Congress in seeking and obtaining particular projects for their districts.

Mr. Chairman, this bill helps to protect and preserve and secure our Nation—to guard and develop its resources—to spread waters on the land to green and bloom our deserts—to engineer our waterways and harbors, enabling food, fiber, minerals, and the sinews of our industrial capacity and might to be shipped from their basic and naked origin to areas of manufacturing, development, and consumption.

Mr. Chairman, this bill is the vehicle for the realization of all of this and it is more. It harnesses the tremendous, magnificent, potential power of water and spreads it as energy to lift the daily burdens of mankind and to ease his way with comfort and convenience.

It is the instrument by which our Nation curbs the ravaging, devastating consequences of uncontrolled and rushing waters. This is the bill that has built the reservoirs, the dams, floodwalls, jetties, breakwaters, pumping stations to stop floods, to protect property and to save lives.

All of these that have been constructed are eloquent monuments to the wisdom of the responsible agencies and to the Congress. For these projects have saved millions of dollars and many human lives. There is not a section of this country that has not felt and appreciated the value of the flood control projects that sprinkle this land.

Within the receding hours of today and yesterday we have witnessed the value of projects that run from New Orleans and Cameron, La., to Corpus Christi, Tex. Hurricane Carla has visited this sweep of area with one of the fiercest storms of the century. It has generated the greatest mass exodus of people in the Nation's history—more than 500,000. The jetties, breakwaters, and seawalls were major factors in protecting property and saving lives and enabling the people to successfully flee the area. And I take this opportunity to commend the civil defense agencies, Red Cross, and all of the local police and fire units and thousands of civilians whose efforts made possible the evacuation.

Coming from New England, I can appreciate the conditions, the fear and terror of windswept, torrential rains, engulfing tides, hurricanes and tornadoes. For we, in New England, have experienced all of these phenomena. We are grateful for the cooperation that we have received from the Federal Government down through the years from the year in the early 1930's, when the Federal Flood Control Act was passed by the Congress.

Since joining this Subcommittee on Public Works Appropriations some 7 years ago, it has been my constant and consistent desire to bring to full realization the flood control program of the

Corps of Engineers designed to give my section of the country adequate protection from floods and hurricanes. The Congress has generously responded to our pleas and daily we are moving closer to our goal.

The bill before us today helps us to meet our objective. I list the flood control projects that are included in it and the effect that they have on our areas in New England—the economics of the projects:

CONNECTICUT RIVER BASIN

Mr. Chairman, these projects affect the Chicopee River and Westfield River Basins which empty into the Connecticut River Basin in the vicinity of Springfield. The committee increased planning funds for the Chicopee Falls local protective works by $50,000, from $75,000 to $125,000. The committee also allocated $50,000 to commence advance engineering and design plans for the Westfield local protective works on the Westfield River below Littleville dam and reservoir. The Corps of Engineers advised the committee that this sum could be used for planning in this fiscal year.

CHICOPEE FALLS, MASS.

(Initiation of planning)

Location and description: The project is located on the Chicopee River at Chicopee Falls, Mass. The project provides for channel excavation and 4,400 linear feet of levees and floodwalls along the left bank of the river. Pumping plants would be provided to dispose of interior storm drainage.

Authorization: 1950 Flood Control Act.

Benefit-cost ratio: 1.3 to 1.

Summarized financial data:

Estimated Federal cost	[1] $1,880,000
Estimated non-Federal cost	60,000
Cash contribution	([1])
Other costs	60,000
Total estimated project cost	1,940,000
Preconstruction planning estimate	170,000
Appropriations to June 30, 1961	[2] 20,000
Planning for fiscal year 1962	75,000
Balance to complete preconstruction planning after fiscal year 1962	75,000

[1] Local interests are required to assume at least 20 percent of the project cost, exclusive of costs for planning. This will necessitate a cash contribution, or a reimbursement over a 50-year period, in an amount estimated to be $294,000.

[2] Preauthorization study costs only.

Justification: Four floods of major proportion have been experienced since 1936. The greatest flood of record occurred in September 1938. The second greatest flood, August 1955, caused the largest damage. Losses in the Chicopee Falls project area during the 1955 flood amounted to $2,800,000. Flood protection is required for three major industrial complexes having a plant value of over $60 million, which produce over $100 million in tires, cotton goods, and firearms annually.

Non-Federal costs: Local interests are required to assume at least 20 percent of the cost (except costs of planning, design, and acquisition of water rights) of the completed project, payable either as construction proceeds or pursuant to a contract providing for repayment with interest within 50 years. The actual cost, or fair market value of lands, easements, rights-of-way, and work performed or services rendered prior to completion of construction of the project, which are furnished by a non-Federal entity, shall be included in the share of the cost to be borne by the non-Federal entity. Local interests are specifically required to furnish all lands, easements, and rights-of-way for construction; provide sewer and utility alterations necessary for construction and operation of the project, including the construction of a water intake and the extension of a low dam for furnishing water to the United States Rubber Co. as a replacement for existing facilities, and permit no encroachment on the improved channels or on the ponding areas or, if ponding areas or capacities are impaired, will provide substitute storage capacity. The estimated costs to local interests are as follows:

Lands and damages	$50,000
Relocations	10,000
Total	[1] 60,000

[1] In addition, a cash contribution, or reimbursement, estimated at $294,000 is required. The cost of preserving and maintaining channel and ponding capacities is not available.

Local interests also are required to maintain and operate the project after completion. Annual maintenance and operation costs are estimated at $2,800.

Status of local cooperation: By resolution dated March 10, 1959, the board of aldermen of the city of Chicopee agreed to provide certain measures of local cooperation necessary for construction of the project. No difficulty is anticipated in securing all required measures of local cooperation.

Comparison of Federal cost estimates: No change from the latest estimate submitted to Congress. (The requirement of a cash contribution, or reimbursement, as specified in the authorization act has not been considered.)

CONANT BROOK RESERVOIR, MASS.

(Initiation of planning)

Location and description: The project is located on Conant Brook, a tributary of the Quaboag River in the Connecticut River Basin. The reservoir lies wholly within the town of Monson, Mass., in the south central part of Massachusetts. The project provides for an earth and rock fill dam approximately 1,235 feet long with a maximum height of about 85 feet above streambed. At spillway crest elevation, 754 feet, the capacity of the reservoir would be 3,840 acre-feet.

Authorization: 1960 Flood Control Act.

Benefit-cost ratio: 1.4 to 1.

Summarized financial data:

Estimated Federal cost	$2,080,000
Estimated non-Federal cost	----------
Cash contributions	----------
Other costs	----------
Total estimated project cost	2,080,000
Preconstruction planning estimate	230,000
Appropriations to June 30, 1961	[1] 20,000
Planning allocation for fiscal year 1962	50,000
Balance to complete preconstruction planning after fiscal year 1962	160,000

[1] Preauthorization studies costs only.

Justification: Construction of the Conant Brook Reservoir is required to provide flood protection in the town of Monson and other damage centers on the Quaboag and Chicopee Rivers. A recurring August 1955 flood (at 1959 price levels) would cause damages amounting to $15,880,000 in the Chicopee River Basin of which $5,265,000 would be prevented by the Conant Brook project.

Non-Federal costs: None required.

Status of local cooperation: Local interests are required to prohibit further obstruction of the floodway along Conant and Chicopee Brooks in the town of Monson. State legislation permits the town to establish flood plain zoning. No difficulty is expected in obtaining necessary action to fulfill the local cooperation requirements.

Comparison of Federal cost estimates: The current Federal cost estimate of $2,080,000 reflects an increase of $20,000 on the latest estimate submitted to Congress of $2,060,000. The increase is due to the inclusion of the costs of preauthorization studies.

LITTLEVILLE RESERVOIR, MASS.

(New start)

Location: The project is located on the Middle Branch of the Westfield River, 1 mile above its confluence with the Westfield River and approximately 2 miles north (upstream) of Huntington, Mass.

Authorization: 1958 Flood Control Act.

Benefit-cost ratio: 1.5 to 1.

Summarized financial data:

Estimated Federal cost	$7,000,000
Estimated non-Federal cost	([1])
Cash contribution	([1])
Other costs	----------
Total	----------
Appropriations to June 30, 1960	116,000
Appropriations for fiscal year 1961	154,000
Appropriations to date	270,000
Appropriations requested for fiscal year 1962	300,000
Balance to complete after fiscal year 1962	6,430,000

Accumulated percent of estimated Federal cost:

Appropriations to date	4
Appropriations requested for fiscal year 1962	8

[1] Local interests are required to reimburse the Federal Government for costs allocated to water supply storage over a period not to exceed 50 years after use of this storage is initiated. The reimbursement required has not been determined.

Physical data

Dam:
- Type: Earthfill.
- Height: 164 feet.
- Length: 1,350 feet.

Spillway:
- Type: Ogee.
- Capacity: 92,000 cubic feet per second.
- Crest length: 430 feet.

Reservoir capacity:
- Flood control: 23,000 acre-feet.
- Water supply: 9,400 acre-feet.

Status, January 1, 1961: Construction not started.

Completion schedule:

Land acquisition	June 1964.
Relocations	December 1963.
Dam	June 1964.
Access road	June 1964.
Buildings, grounds and utilities	June 1964.
Entire project	June 1964.

Justification: The Littleville Reservoir would be operated as a unit of the comprehensive plan for flood control in the

Connecticut River Basin and as such would provide flood reductions to downstream damage centers on the Westfield and Connecticut Rivers. The flood of August 1955 produced losses estimated at $9,160,000, the heaviest loss ever experienced in the Westfield River area downstream of the Knightville and Littleville Reservoirs. Flood protection is urgently needed for Huntington and Westfield, Mass., and other major damage centers on the Westfield and Connecticut Rivers to augment the partial protection provided by the existing projects.

Fiscal year 1962: The requested amount of $300,000 will be applied as follows:

Initiate land acquisition	$100,000
Initiate construction of dam	25,000
Engineering and design	153,000
Supervision and administration	22,000
Total	300,000

Expenditure of these funds will provide for economical prosecution of the project during the fiscal year.

Non-Federal costs: Local interests are required to reimburse the Federal Government for costs allocated to water supply storage over a period not to exceed 50 years after use of this storage begins. The reimbursement required has not been determined.

Status of local cooperation: The city of Springfield, Mass., has furnished assurances for participating in the cost of the project including provision for future water supply and has filed the required petition with the State legislature.

Comparison of Federal cost estimate: The current Federal cost estimate of $7 million is an increase of $1,510,000 over the latest estimate submitted to Congress. The increase is due primarily to present consideration of a dual-purpose project in accordance with the 1958 Water Supply Act.

Mr. Chairman, the other New England construction projects follow:

HOPKINTON-EVERETT RESERVOIR, N.H.

(Continuing)

Location: The site of the Hopkinton Dam is on the Contoocook River, 17.3 miles above its junction with the Merrimack River and about one-half mile upstream from the village of West Hopkinton. The site of the Everett Dam is on the Piscataquog River, 16 miles above its junction with the Merrimack River, and about 1.3 miles southeast of the village of East Weare.

Authorization: 1938 Flood Control Act.

Benefit-cost ratio: 1.9 to 1.

Summarized financial data:

Estimated Federal cost	$22,600,000
Estimated non-Federal cost	----------
Cash contribution	----------
Other costs	----------
Total estimated project cost	22,600,000
Appropriations to June 30, 1960	6,310,000
Appropriations for fiscal year 1961	7,670,000
Appropriations to date	13,980,000
Appropriations requested for fiscal year 1962	6,200,000
Balance to complete after fiscal year 1962	2,420,000

Accumulated percent of estimated Federal cost:

Appropriations to date	62
Appropriations requested for fiscal year 1962	90

Physical data

	Hopkinton	Everett
Dam:		
Type	Earth fill	Earthfill.
Height	76 ft.	115 ft.
Length	790 ft.	2,000 ft.
Spillway:		
Type	Overflow	Overflow.
Capacity	59,700 c.f.s.	28,500 c.f.s.
Crest length	300 ft.	180 ft.
Canals:		
Length	3,500 ft.	13,500 ft.
Width	120 ft.	160 ft.
Dikes:		
Length	9,600 ft.	6,400 ft.
Height	77 ft.	50 ft.

Reservoir capacity: Flood control, 157,300 acre-feet.

Status, Jan. 1, 1961

	Percent complete	Completion schedule
Land acquisition	66	June 1962.
Relocations	36	December 1962.
Dam:		
Everett	61	September 1962.
Hopkinton	19	September 1963.
Dam closure:		
Everett	----------	September 1960.
Hopkinton	----------	July 1962.
Entire project	46	September 1963.

Justification: The Hopkinton-Everett project is an important unit in the comprehensive plan of improvement for flood control in the Merrimack River Basin. This project, together with the three completed reservoirs, will control about 32 percent of the total drainage area of the Merrimack River Basin. Construction of this reservoir is required, in addition to the completed reservoirs, to reduce flood stages to below the grade of dikes at those downstream cities now having local protective works. The downstream protective works will continue to provide a false sense of security until the complementary upstream storage insures adequate control of floodwaters. It is estimated that upon a recurrence of the 1936 and 1938 floods, the Hopkinton-Everett project would reduce stages at Manchester, N.H., by 4 feet and 3.4 feet, respectively, and at Lowell, Mass., by 3 feet and 2.6 feet, respectively. Under present conditions of development, without Hopkinton-Everett protection, these floods would cause $163,700,000 and $53,600,000 in damages, respectively, of which the project could prevent $40 million and $17,400,000 respectively. About 200 industries, producing woolen, cotton and synthetic textiles, mica products, paper, and paper box products, gypsum board, shoe machinery, plastics, and electronic equipment, would benefit from this protection. Annual flood control benefits for the project are estimated at $1,800,000.

WESTVILLE RESERVOIR, MASS.

(Continuing)

Location: The project is located on the Quinebaug River, a tributary of the Thames River in the towns of Southbridge and Sturbridge, Mass., 0.75 mile upstream from the Massachusetts Route No. 131 bridge crossing of the Quinebaug River in Southbridge, Mass., and 56.7 miles upstream from its confluence with the Shetucket River.

Authorization: 1941 Flood Control Act.

Benefit-cost ratio: 1.4 to 1.

Summarized financial data:

Estimated Federal cost	$5,882,000
Estimated non-Federal cost	----------
Cash contribution	----------
Other costs	----------
Total estimated project cost	5,882,000
Appropriation to June 30, 1960	$1,727,000
Appropriation for fiscal year 1961	2,455,000
Appropriations to date	4,182,000
Appropriations requested for fiscal year 1962	1,700,000
Balance to complete after fiscal year 1962	----------

Accumulated percent of estimated Federal cost:

Appropriations to date	71
Appropriations requested for fiscal year 1962	100

Physical data

Dam:
- Type: Earthfill.
- Height: 78 feet.
- Length: 560 feet.

Reservior capacity:
- Flood control: 11,000 acre-feet.
- Operating pool: 100 acre-feet.

Spillway:
- Capacity: 24,000 cubic feet per second.
- Crest length: 200 feet.
- Type: Ogee weir, chute in rock.

Status, Jan. 1, 1961

	Percent complete	Completion schedule
Land acquisition	32	December 1961.
Relocations	2	Do.
Dam	23	February 1962.
Dam closure	----------	November 1960.
Entire project	25	February 1962.

Justification: The Westville project is a unit of the authorized plan for flood control in the Thames River Basin. The flood of August 1955 caused damages amounting to $61,680,000 in this basin. Had the Westville Dam been in operation at that time, damages amounting to $5,500,000 would have been prevented on the Quinebaug and Shetucket Rivers.

In combination with the East Brimfield project, the Westville project will provide substantial protection for Southbridge, Mass., and a large measure of protection for other downstream communities, including Putnam, Danielson, Jewett City, and Norwich, Conn., industrial and business centers on the Quinebaug and Thames Rivers.

Fiscal year 1962: The requested amount of $1,700,000 will be applied to:

Initiate and complete recreational facilities and operating equipment	$48,000
Complete construction of dam, reservoir, access road, and buildings, grounds and utilities	539,800
Complete land acquisition	466,600
Complete relocations	528,100
Engineering and design	4,000
Supervision and administration	113,500
Total	1,700,000

Expenditure of these funds will provide for completion of the project during the fiscal year.

Non-Federal costs: None.

Status of local cooperation: None required.

Comparison of Federal cost estimate: The current Federal cost estimate of $5,882,000 is a decrease of $878,000 from the latest estimate ($6,760,000) submitted to Congress. The decrease is based on award of the multi-component contract for the dam and appurtenant works, and on a reduction in land acquisition costs.

NEW BEDFORD, FAIRHAVEN AND ACUSHNET BARRIERS, MASS.

Location: The project is located in New Bedford-Fairhaven Harbor, Mass., on the southern coast of Massachusetts.

Authorization: 1958 Flood Control Act.

Benefit-cost ratio: 1.7 to 1.

Summarized financial data:

Estimated Federal cost	$11,500,000
Estimated non-Federal cost	7,320,000
Cash contributions	7,150,000
Other costs	170,000
Total estimated project cost	18,820,000
Appropriations to June 30, 1960	700,000
Appropriations for fiscal year 1961	----------
Appropriations to date	700,000
Appropriations requested for fiscal year 1962	500,000
Balance to complete after fiscal year 1962	10,300,000

Accumulated percent of estimated Federal cost:

Appropriations to date	6
Appropriations requested for fiscal year 1962	10

Physical data

Main harbor barrier: Type, earth and rockfill; length, 4,500 feet; average height, 20 feet.

Navigation gates: Structure, reinforced concrete; gates, sector; size, 2 leaves 59 feet high by 95 feet outer circumference; mechanism, electric motor driven; clear opening, 150 feet.

Clark Cove and New Bedford dikes: Type, earth and rockfill; length, 10,300 feet; average height, 10 feet.

Fairhaven dike: Type, earth and rockfill; length, 3,100 feet; average height, 13 feet.

Pumping station: Number, 1; structure, reinforced concrete; size, 80 by 30 feet; number of pumps, 4; capacity (each), 55,000 gallons per minute at 20-foot head.

Status Apr. 1, 1961

	Percent complete	Completion schedule
Bypass channel	Not started	December 1962.
Levees and floodwalls	do	March 1965.
Pumping plant	do	June 1964.
Buildings, grounds, and utilities.	do	December 1964.
Entire project	do	March 1965.

Justification: The project will provide full protection for over 1,260 acres in New Bedford, Fairhaven, and Acushnet, Mass., from storm tide flooding. The project will protect the heavily industrialized portion of these communities.

The New Bedford-Fairhaven area has experienced heavy tidal-flood losses in recent hurricanes. The harbor, being open to Buzzards Bay, is particularly susceptible to the onslaught of tidal surges accompanying northward moving hurricanes.

At current price levels, flood losses are estimated at $33 million for a recurrence of the September 1938 hurricane and $31,100,000 for a recurrence of the August 1954 hurricane. The project would prevent $31,800,000 and $30,130,000 of these damages, respectively. This represents practically complete protection for 80 percent of the area flooded during past hurricanes in the New Bedford-Fairhaven area, and a reduction of 97 percent of the losses due to the record hurricane of 1938.

Fiscal year 1962: The requested amount of $500,000 (Federal funds) will be applied to:

Construction of bypass channel	$160,000
Engineering and design	300,000
Supervision and administration	40,000
Total	500,000

Non-Federal costs: The initial investment required of local interests in construction of the project is estimated at $7,320,000, broken down as follows:

Lands and rights-of-way	$125,000
Relocations	45,000
Contributions (30 percent of total estimated cost, less the cost of lands, damages, relocations, and preauthorization studies)	5,440,000
Contribution in lieu of maintenance and operation of main harbor barrier	1,710,000
Total	7,320,000

Local interests are required to maintain and operate the entire project, except the main harbor barrier, upon completion. The estimated annual cost for maintenance and operation is $72,000.

Status of local cooperation: Informal assurances of local cooperation have been received. Legislation has been prepared and is under consideration in the Massachusetts General Court to authorize State assistance in meeting the requirements of local cooperation. It is expected that all requirements of local cooperation will be met.

Comparison of Federal cost estimate: No change from the latest estimate submitted to Congress.

EAST BRANCH RESERVOIR, CONN.

(New start)

Location: The project is located in the city of Torrington, Conn., on the East Branch of the Naugatuck River, 3 miles above its confluence with the West Branch.

Authorization: 1958 Flood Control Act.

Benefit-cost ratio: 1.4 to 1.

Summarized financial data:

Estimated Federal cost	$2,010,000
Estimated non-Federal cost	890,000
Cash contribution	----------
Other costs	890,000
Total estimated project cost	2,900,000
Appropriations to June 30, 1960	20,000
Appropriations for fiscal year 1961	150,000
Appropriations to date	170,000
Appropriations requested for fiscal year 1962	250,000
Balance to complete after fiscal year 1962	1,590,000

Accumulated percent of estimated Federal cost:

Appropriations to date	8
Appropriations requested for fiscal year 1962	21

Physical data

Dam: Type, rolled earth; height, 95 feet; length, 740 feet.

Outlet: Type, reinforced concrete, ungated; size, 38-inch diameter.

Spillway: Type, side channel; capacity, 22,000 cubic feet per second; length, 175 feet.

Reservoir: Flood control, 5,150 acre-feet.

Status January 1, 1961: Construction not started.

Completion schedule:

Relocations	December 1962.
Dam	December 1963.
Entire project	Do.

Justification: Flood protection is urgently needed for the Torrington area and that portion of the Naugatuck River upstream from the Thomaston Reservoir. Six major floods have occurred in the past 30 years. The greatest flood of record, August 1955, took six lives and caused damages amounting to $23,300,000. The East Branch and Hall Meadow Brook projects are the two reservoir units of the plan for flood control above the city of Torrington. Had both these reservoirs been in operation during the 1955 flood, they would have prevented $18,500,000 in damages. The East Branch Reservoir alone would have prevented damages in the amount of $5,900,000

Fiscal year 1962: The requested amount of $250,000 will be applied to:

Initiate road relocation	$180,000
Engineering and design	45,000
Supervision and administration	25,000
Total	250,000

Expenditure of these funds will provide for economical prosecution of the project during the fiscal year.

Non-Federal cost: The initial investment required of local interest in construction of the project is estimated at $890,000 for lands, easements, and rights-of-way.

Local interests are required to operate and maintain the project upon completion. The annual cost for maintenance operation is estimated at $2,000.

Status of local cooperation: In 1957 the Connecticut Legislature authorized a bond issue for the purpose of fulfilling all local assurances for East Branch Reservoir.

Comparison of Federal cost estimates: No change from the latest estimate submitted to Congress.

HALL MEADOW BROOK RESERVOIR, CONN.

(Continuing)

Location: The damsite is located in the city of Torrington, Conn., on Hall Meadow Brook, 0.4 mile above its confluence with the West Branch of the Naugatuck River.

Authorization: 1958 Flood Control Act.

Benefit-cost ratio: 3.1 to 1.

Summarized financial data:

Estimated Federal cost	$2,373,000
Estimated non-Federal cost	570,000
Cash contributions	----------
Other costs	570,000
Total estimated project cost	2,943,000
Appropriations to June 30, 1960	233,000
Appropriation for fiscal year 1961	940,000
Appropriations to date	1,173,000
Appropriations requested for fiscal year 1962	1,200,000
Balance to complete after fiscal year 1962	----------

Accumulated percent of estimated Federal cost:

Appropriations to date	49
Appropriations requested for fiscal year 1962	100

Physical data

Dam:

Type: Earthfill.

Height: 73 feet.

Length: 1,200 feet.

Spillway:
Type: Ogee.
Capacity, cubic feet sper second: 19,200.
Crest length, feet: 100.
Reservoir capacity:
Flood control (acre-feet): 8,620.
Permanent pool (acre-feet): 210.

Status, Apr. 1, 1961

	Percent complete	Completion schedule
Relocations	8	November 1961.
Dam	1	June 1962.
Entire project	16	Do.

Justification: Flood protection is urgently needed for the Torrington area and that portion of the Naugatuck River upstream from the authorized Thomaston project. Damages in the area extending downstream from the proposed damsite on Hall Meadow Brook through Torrington to the upstream limit of the authorized Thomaston Reservoir area in the 1955 flood took six lives and caused losses of $23,300,000. Operation of the Hall Meadow Brook Reservoir project will provide flood protection for the Torrington area, will reduce flood flows in the West Branch of the Naugatuck River and, in combination with the authorized East Branch Reservoir, will reduce flood flows below the East Branch.

Fiscal year 1962: The requested amount of $1,200,000 will be applied to:

Complete road relocations	$340,000
Complete construction of dam, dike and diversion channel	754,000
Engineering and design	11,900
Supervision and administration	94,100
Total	1,200,000

Expenditure of these funds will provide for economical prosecution and physical completion of the project during the fiscal year.

Non-Federal costs: The initial investment required of local interests in construction of the project is estimated at $535,000 for lands and easements, $16,000 for relocation of utilities, and $19,000 for reservoir clearing, a total of $570,000.

Local interests are required to maintain and operate the project upon completion. The annual cost for maintenance and operation is estimated at $3,000.

Status of local cooperation: Local interests are required to provide, without cost to the United States, all lands, easements and rights-of-way necessary for the construction and operation of the project. In 1957 the Legislature of the State of Connecticut authorized a bond issue for the fulfilling of all local assurance for Mad River, Hall Meadow and East Branch Reservoirs. Land acquisition is underway.

Comparison of Federal cost estimate: The current Federal cost estimate of $2,373,000 is an increase of $163,000 over the latest estimate ($2,210,000) submitted to Congress. The change in estimate is based on completion of detailed design studies, including the addition of a diversion channel between the Hall Meadow Brook and Reuben Hart Reservoirs, offset in part by low bids for principal construction features.

MAD RIVER RESERVOIR, CONN.

(Continuing)

Location: The project is located in the town of Winchester, Conn., about 2.2 miles above the confluence with the Still River and about 0.3 mile northwest of the city of Winsted.

Authorization: 1958 Flood Control Act.
Benefit-cost ratio: 1.6 to 1.

Summarized financial data:

Estimated Federal cost	$5,430,000
Estimated non-Federal cost	670,000
Cash contributions	
Other costs	670,000
Total estimated project cost	6,100,000
Appropriations to June 30, 1960	261,000
Appropriation for fiscal year 1961	718,000
Appropriations to date	979,000
Appropriations requested for fiscal year 1962	1,800,000
Balance to complete after fiscal year 1962	2,651,000

Accumulated percent of estimated Federal cost:

Appropriations to date	18
Appropriations requested for fiscal year 1962	51

Physical data

Dam:
Type: Earthfill.
Height: 178 feet.
Length: 910 feet.
Spillway:
Type: Side channel.
Capacity: 29,500 cubic feet per second.
Crest length: 340 feet.
Reservoir capacity:
Flood control: 9,700 acre-feet.
Permanent pool: 188 acre-feet.

Status January 1, 1961: Construction not started.

Completion schedule:

Relocations	September 1962.
Dam	October 1963.
Entire project	Do.

Justification: Flood protection is urgently needed for the protection of Winsted, Conn., and downstream areas. Six major floods have occurred in the Mad River Basin since 1900. In the greatest flood of record, August 1955, seven lives were lost and damages downstream of the Mad River Dam site were over $18 million. The operation of the Mad River Dam and Reservoir would reduce flood damages in reaches of the Mad and Still Rivers downstream from the project to the confluence of the Still River and Sandy Brook.

Fiscal year 1962: The requested amount of $1,800,000 will be applied to:

Continue road relocations	$546,000
Continue construction of dam	1,077,000
Initiate reservoir clearing	5,000
Engineering and design	14,000
Supervision and administration	158,000
Total	1,800,000

Expenditure of these funds will provide for economical prosecution of the project during the fiscal year.

Non-Federal costs: The initial investment required of local interests in construction of the project is estimated at $645,000 for lands, easements, and rights-of-way, and $25,000 for relocation of utilities, a total of $670,000.

Local interests also are required to maintain and operate the project upon completion. The annual cost for maintenance and operation is estimated at $1,000.

Status of local cooperation: Local interests are required to provide, without cost to the United States, all lands, easements and rights-of-way necessary for the construction and operation of the project, and zone the channel through the damage areas to prevent further encroachments and to require removal and prevent replacement of obstructive or hazardous structures along the channel whenever they become obsolete. In 1957 the Legislature of the State of Connecticut authorized a bond issue for the fulfilling of all local assurances for Mad River, Hall Meadow and East Branch Reservoirs. Land acquisition by the State of Connecticut is underway.

Comparison of Federal cost estimate: The current Federal cost estimate of $5,430,000 is a decrease of $540,000 from the latest estimate ($5,970,000) submitted to Congress. The current estimate is based on detailed design studies.

PAWCATUCK, CONN.

(New start)

Location: The project is located on the Pawcatuck River at Pawcatuck, Conn.

Authorization: 1960 Flood Control Act.
Benefit-cost ratio: 2.1 to 1.

Summarized financial data:

Estimated Federal cost	$419,000
Estimated non-Federal cost	176,000
Cash contributions	86,000
Other costs	90,000
Total estimated project cost	595,000
Appropriations to June 30, 1960	10,000
Appropriations for fiscal year 1961	38,000
Appropriations to date	48,000
Appropriations requested for fiscal year 1962	371,000
Balance to complete after fiscal year 1962	

Accumulated percent of estimated Federal cost:

Appropriations to date	11
Appropriations requested for fiscal year 1962	100

Physical data

Dike: Type, earthfill; length and height, 2,386 by 15 feet.

Floodwall: Type, concrete T-wall; length and height, 208 by 10 feet.

Pumping plant: Structure, brick and concrete block; size, 25 by 33 feet; pumps, two 20,000 gallons per minute; sluice gates, two 4 by 4 feet.

Status January 1, 1961: Construction not started.

Dikes and floodwalls	June 1962.
Pumping plant	Do.
Entire project	Do.

Justification: The Pawcatuck project would afford complete tidal-flood protection to about 31 acres of industrial and residential property in Pawcatuck. The area contains the two largest industrial plants in Pawcatuck, as well as a number of dwellings. Nearly 50 percent of the total flood damages in the 1954 hurricane were sustained within the Pawcatuck area of protection, although geographically it covers about 2 percent of the entire flooded area. A recurrence of Hurricane Carol (August 3, 1954) with a flood stage of 10.4 feet above mean sea level would cause damages estimated at $920,000, at 1958 price levels, within the Pawcatuck protection area; and that of the 1938 hurricane would cause damages of $1,290,000. These damages would be entirely eliminated by completion of this project.

Fiscal year 1962: The requested amount of $371,000 (Federal funds) will be applied to:

Initiation and completion of dikes and flood walls	$250,000
Initiation and completion of pumping station	85,000
Engineering and design	7,000
Supervision and administration	29,000
Total	371,000

Non-Federal costs: The initial investment required of local interests in construction of the project is estimated at $176,000 broken down as follows:

Lands and rights-of-way	$80,000
Relocations	10,000

Non-Federal contributions (30 percent of total estimated cost less the cost of lands, damages, relocations and preauthorization studies)	86,000
Total	176,000

Local interests are required to maintain and operate the project upon completion. The estimated annual cost for maintenance and operation is $5,600.

Status of local cooperation: Officials for the town of Stonington and the State of Connecticut favor the project. It is believed that local requirements will be met when requested.

Comparison of Federal cost estimate: No change from the latest estimate submitted to Congress.

FOX POINT BARRIER, R.I.

Location: The project is located on the Providence River at Fox Point, in the city of Providence, R.I.

Authorization: 1958 Flood Control Act.

Benefit-cost ratio: 2.3 to 1.

Summarized financial data:

Estimated Federal cost	$11,944,000
Estimated non-Federal cost	5,076,000
Cash contributions	3,876,000
Other costs	1,200,000
Total estimated project cost	17,020,000
Appropriations to June 30, 1960	984,000
Appropriations for fiscal year 1961	752,000
Appropriations to date	1,736,000
Appropriations requested for fiscal year 1962	3,200,000
Balance to complete after fiscal year 1962	7,008,000

Accumulated percent of estimated Federal cost:

Appropriations to date	15
Appropriations requested for fiscal year 1962	41

Physical data

River barriers: Type, concrete gravity; length and height, 290 by 48 feet.

River gates: Structure, reinforced concrete; six, 148 by 61.5 by 58 feet high; gates, three—40 by 40 feet tainters; operating mechanism, electric hoist.

Cooling water canal: Size, 1,450 feet long by 70 feet to 150 feet wide; structure, steel and timber wall.

Pumping plant: Structure, reinforced concrete; size, 214 by 91 by 95 feet high; pumps, five—120-inch, 150-revolutions per minute; motors, five—4,300-horsepower electric; cooling water gates, two—10 by 15 feet, slide.

Land dikes: Type, earth with rock facing; length and height, 1,850 by 17 feet, maximum; gates, 3 vehicular.

Status, Jan. 1, 1961

	Percent complete	Completion schedule
Cooling water canal	1 percent	September 1961.
Levees and floodwalls	Not started	March 1964.
Pumping plant	do	Do.
Grounds and utilities	do	September 1963.
Entire project	1 percent	March 1964.

Justification: The Fox Point barrier will provide full protection for the center of Providence from storm-tide flooding. The barrier will protect the downtown area where 35 percent of the total experienced damage in the Narragansett Bay area has occurred.

The Narragansett Bay area has experienced heavy tidal flood losses in recent hurricanes. Hurricane tidal surges are funneled into the bay and flood densely populated and developed areas, especially in the vicinity of Providence, Newport, and Fall River. Flood losses are estimated at $120 million for the September 1938 hurricane and $92 million for the August 1954 hurricane. Over 250 lives were lost in Narragansett Bay and along the Rhode Island coast during the 1938 and 1954 hurricanes. It is estimated that a recurrence of a flood of 1938 magnitude under present economic conditions would cause over $42 million damage in the Fox Point protection area. These losses would be prevented by the project.

Fiscal year 1962: The requested amount of $3,200,000 (Federal funds) will be applied to:

Complete cooling water canal	$580,000
Continue contract for construction of remainder of project	2,360,000
Engineering and design	30,000
Supervision and administration	230,000
Total	3,200,000

Non-Federal costs: The initial investment required of local interests in construction of the project is estimated at $5,076,000, broken down as follows:

Lands and rights-of-way	$1,200,000
Non-Federal contributions (30 percent of total estimated cost less the cost of lands, damages, relocations, and preauthorization studies)	3,876,000
Total	5,076,000

Local interests are required to maintain and operate the project upon completion. The estimated annual cost for maintenance and operation is $93,000.

Status of local cooperation: In a letter dated September 10, 1958, from the mayor of Providence, R.I., local interests agreed to requirements of local cooperation.

The city of Providence has practically completed the real estate map and appraisals of the properties involved and has initiated land acquisition. Agreements have been reached with the city of Providence and the State of Rhode Island whereby the local cash contribution will be available as required.

Comparison of Federal cost estimate: The current Federal estimate ($11,944,000) is an increase of $518,000 over the latest estimate submitted to Congress ($11,426,000). This increase represents 70 percent (Federal share) of the total increase for the project and is the proportionate share of the increased cost for lands and damages, cooling water canal construction, and engineering and design.

Mr. Chairman, the other New England planning projects follow:

THREE RIVERS, MASS.

(Initiation of planning)

Location and description: The project is located at the confluence of the Swift and Quaboag Rivers with the Chicopee River in the town of Palmer, Mass. The project provides for channel improvement, modification of two highway and one railroad bridges and removal of the existing dam.

Authorization: 1960 Flood Control Act.

Benefit-cost ratio: 1.3 to 1.

Summarized financial data:

Estimated Federal cost	$1,270,000
Estimated non-Federal cost	460,000
Cash contribution	([2])
Other	460,000
Total estimated project cost	1,730,000
Preconstruction planning estimate	110,000
Appropriations to June 30, 1961	[1] 10,000
Planning allocation for fiscal year 1962	50,000
Balance to complete preconstruction planning after fiscal year 1962	50,000

[1] Preauthorization studies costs only.

[2] Local interests are required to assume at least 20 percent of the project cost, exclusive of costs for planning with credit allowed for the cost or fair value of items specifically required. No cash contribution is presently required.

Justification: Construction of the Three Rivers local protection project is required to reduce flood damages at the industrial center of the town. Four major floods have occurred since 1935. Two were in March 1936 and one each in September 1938 and August 1955. Recurrence of the August 1955 flood would cause damages estimated at $6,550,000 in the Three Rivers area, after reductions afforded by the existing Barre Falls Reservoir. The authorized Conant Brook Reservoir would prevent $2,140,000 of these recurring losses and the Three Rivers project would prevent $3,765,000.

Non-Federal costs: Local interests are required to assume at least 20 percent of the cost (except costs of planning, design, and acquisition of water rights) of the completed project, payable either as construction proceeds or pursuant to a contract providing for repayment with interest within 50 years. The actual cost, or fair market value of lands, easements, rights-of-way, and work performed or services rendered prior to completion of construction of the project, which are furnished by a non-Federal entity, shall be included in the share of the cost to be borne by the non-Federal entity. Local interests are specifically required to: Furnish all lands, easements, and rights-of-way for construction; make necessary alterations to roads, highway bridges, sewers, and utilities; obtain necessary rights to permit the United States to remove the New England Power Co. dam and powerhouse on the Chicopee River; hold and save the United States free from damages due to the constructions works; permit no encroachment on improved channels including the waterway areas under the bridges; and maintain and operate all the works after completion. The initial investment required of local interests in construction of the project is estimated at $17,000 for lands and damages, and $443,000 for relocations.

Status of local cooperation: Local interests are able and willing to furnish the necessary items of cooperation. The board of selectmen of the town of Palmer, Mass., has given assurances that the New England Power Co. has offered to deed the dam and powerhouse to the town for removal for flood control purposes and that the town will provide all other forms of local cooperation.

Comparison of Federal estimates: The current Federal cost estimate of $1,270,000 reflects an increase of $10,000 over the latest estimate submitted to Congress of $1,260,000. The increase is due to the inclusion of the costs of preauthorization studies.

WEST THOMPSON RESERVOIR, CONN.

(Initiation of planning)

Location and description: The project is located on the Quinebaug River in the town of Thompson, Conn., 2 miles upstream from the city of Putnam. The project provides for a rolled earthfill dam approximately 2,400 feet long with a maximum height of 70 feet above streambed, and an earth dike 400 feet long and 24 feet high. A side channel spillway, 313 feet long, would be constructed in rock on the right abutment. At spillway crest elevation 341 feet m.s.l., the reservoir would have a flood control storage capacity of 25,000 acre-feet.

Authorization: 1960 Flood Control Act.

Benefit-cost ratio: 1.3 to 1.

Summarized financial data:

Estimated Federal cost	$4,060,000
Estimated non-Federal cost	----------
Cash contributions	----------
Other costs	----------
Total	4,060,000

Preconstruction planning estimate	312,000
Appropriations to June 30, 1961	[1] 20,000
Planning allocation for fiscal year 1962	150,000
Balance to complete preconstruction planning after fiscal year 1962	142,000

[1] Preauthorization studies costs only.

Justification: West Thompson Dam and Reservoir is a unit in the comprehensive plan for flood protection for the Quinebaug River Valley. The plan includes four other reservoirs of which three are complete or essentially complete and one is under construction. Six major floods have occurred in the Quinebaug River Valley in the last 30 years causing widespread damage and disruption of the basin economy. The maximum flood occurred in August 1955. It took eight lives and caused damages in the amount of $55,550,000 at 1957 price levels. The four flood control reservoirs would have prevented $36,880,000 of this loss, had they been completed. Completion and operation of the West Thompson Dam and Reservoir would have prevented an additional $6,710,000 in damages.

Status of local cooperation: Local interests are required to zone, in accordance with State law and regulations, the channel through the downstream damage areas to prevent further encroachment and to prevent the replacement of obstructive or hazardous structures along the channel whenever they become obsolete. The State of Connecticut, through its water resources commission has established encroachment lines on the Quinebaug River. This action fulfills the requirements of local cooperation.

Comparison of Federal cost estimate: The current Federal cost estimate of $4,060,000 is an increase of $30,000 over the latest estimate submitted to Congress. The increase is an adjustment in the cost of supervision and administration due to a reanalysis of requirements.

STAMFORD, CONN.

(Initiation of planning)

Location and description: The project is located on the north shore of Long Island Sound about 20 miles east of New York City. The project provides for dikes and floodwalls extending from Cummings Park westerly across the East Branch, terminating in high ground on the easterly side of the West Branch of Stamford Harbor. Total length of dikes and floodwalls is about 10,700 feet. A gated navigation opening would be provided in the East Branch. A pumping station would be provided to evacuate interior drainage.

Authorization: 1960 Flood Control Act.

Benefit-cost ratio: 1.4 to 1.

Summarized financial data:

Estimated Federal cost (Corps of Engineers)	$3,080,000
Estimated Federal cost (U.S. Coast Guard)	14,000
Estimated non-Federal cost	2,556,000
Cash contributions	2,286,000
Other costs	270,000
Total estimated project cost	5,650,000
Preconstruction planning estimate	400,000
Appropriations to June 30, 1961	[1] 50,000
Planning allocation for fiscal year 1962	100,000
Balance to complete preconstruction planning after fiscal year 1962	250,000

[1] Preauthorization studies costs only.

Justification: The city of Stamford, Conn., has sustained heavy damage in the past due to tidal flooding caused by hurricanes and other great storms, and faces the continuing threat of similar damage in the future. The project will provide complete tidal-flood protection to about 460 acres of property in the city of Stamford, below an elevation of 11.0 feet mean sea level that were inundated in the hurricane of September 21, 1938, and August 31, 1954. A recurrence of the tidal flood of record would cause losses estimated at $5,790,000.

Non-Federal costs: Local interests are required to provide all lands, easements and rights-of-way; accomplish all modifications and relocations of buildings and utilities; bear 30 percent of the total first cost with credit allowed for the value of lands and relocations; contribute the capitalized value of annual maintenance and operation of the East Branch barrier, which will be operated by the United States; hold and save the United States free from damage due to the construction works; and maintain and operate all the works except the East Branch barrier after completion. The initial investment required of local interests in construction of the authorized project is estimated at $2,556,000, as follows: lands and damages $150,000, relocations (sewers) $120,000, cash contribution $1,406,000, and cash contribution in lieu of maintenance and operation of main harbor barrier, $880,000. The annual cost for maintenance and operation is estimated at $11,000.

Status of local cooperation: Assurances have not been requested. Local interests have expressed the opinion that all conditions of local cooperation would be met at the appropriate time.

Comparison of Federal cost estimates: The current Federal cost estimate of $3,080,000 and the latest estimate submitted to Congress are the same.

NORTHFIELD BROOK RESERVOIR, CONN.

(Continuation of planning)

Location and description: The damsite is located in Thomaston, Conn., on Northfield Brook, 1.3 miles upstream from its confluence with the Naugatuck River. The project provides for a rolled earthfill dam, approximately 800 feet long with a maximum height of 118 feet above streambed. A chute spillway with an ogee weir 70 feet long would be founded on rock in the right abutment of the dam.

Authorization: 1960 Flood Control Act.

Benefit-cost ratio: 2.0 to 1.

Summarized financial data:

Estimated Federal cost	$1,620,000
Estimated non-Federal cost	
Cash contribution	
Other costs	
Total estimated project cost	1,620,000
Preconstruction planning estimate	190,000
Appropriations to June 30, 1961	[1] 70,000
Planning allocation for fiscal year 1962	120,000
Balance to complete preconstruction planning after fiscal year 1962	

[1] Includes $10,000 preauthorization studies costs.

Justification: Construction of the Northfield Brook Dam and Reservoir is required as part of the comprehensive plan of flood protection for the Naugatuck River Valley. This valley comprises the largest nonferrous metal manufacturing area in the Nation; over one-third of the Nation's brass and bronze is produced in this area. A recurrence of the 1955 flood at 1958 price levels would have caused damages of $194 million in the area downstream from Thomaston Reservoir. The operation of the authorized Thomaston, Hall Meadow and East Branch Reservoirs together with the two small protection projects in the city of Torrington would have reduced the losses in this area by $149 million. The Northfield Brook Reservoir together with the remaining reservoirs making up the comprehensive plan, namely Black Rock, Hop Brook and Hancock Brook Reservoirs, would have prevented an additional $24,800,000 in damages.

Non-Federal costs: None required.

Status of local cooperation: Local interests are required to establish encroachment lines downstream from the dam to permit reasonable, efficient reservoir operation. State legislation permits the State water resources commission to establish encroachment lines. Such lines have been established on the Naugatuck River and no difficulty is anticipated on Northfield Brook.

Comparison of Federal cost estimates: No change from latest estimate submitted to Congress.

HANCOCK BROOK RESERVOIR, CONN.

(Continuation of planning)

Location and description: The project is located on Hancock Brook in the town of Plymouth, Conn., 3.4 miles upstream from its confluence with the Naugatuck River. The project provides for a rockfill dam approximately 615 feet long with a maximum height of 50 feet above streambed. A chute spillway with an ogee weir approximately 145 feet long would be founded on rock in the right abutment of the dam.

Authorization: 1960 Flood Control Act.

Benefit-cost ratio: 1.8 to 1.

Summarized financial data:

Estimated Federal cost	$2,520,000
Estimated non-Federal cost	
Cash contribution	
Other costs	
Total estimated project cost	2,520,000
Preconstruction planning estimate	230,000
Appropriations to June 30, 1961	[1] 95,000
Planning allocation for fiscal year 1962	135,000
Balance to complete preconstruction planning after fiscal year 1962	

[1] Includes $20,000 preauthorization studies costs.

Justification: Construction of the Hancock Brook Dam and Reservoir is required as part of the comprehensive plan of flood protection for the Naugatuck River Valley. This valley comprises the largest nonferrous metal manufacturing area in the Nation; over one-third of the Nation's brass and bronze is produced in this area. A recurrence of the 1955 flood at 1958 price levels would have caused damage of $194 million in the area downstream from Thomaston Reservoir. The operation of the authorized Thomaston, Hall Meadow and East Branch Reservoirs together with the two small local protection projects in the city of Torrington would have reduced the losses in this area by $149 million. The Hancock Brook Reservoir together with the remaining reservoirs making up the comprehensive plan, namely Northfield Brook, Hop Brook and Black Rock Reservoirs would have prevented an additional $24,800,000 in damages.

Non-Federal costs: None required.

Status of local cooperation: Local interests are required to establish encroachment lines downstream from the dam to permit reasonable, efficient reservoir operation. State legislation permits the State water resources commission to establish encroachment lines. Such lines have been established on the Naugatuck River and no difficulty is anticipated on Hancock Brook.

Comparison of Federal cost estimates: No change from latest estimate submitted to Congress.

COLEBROOK RIVER RESERVOIR, CONN.

(Initiation of planning)

Location and description: The project is located on the West Branch, Farmington River, in the town of Colebrook, Litchfield County, Conn., about 3.3 miles upstream from the confluence of the West Branch with the Still River. The project provides for an earth and rockfill dam approximately 1,160 feet long, with a maximum height of 211 feet above streambed, and an earth dike about 530 feet long to prevent reservoir overflow into Sandy Brook. At spillway crest elevation, 747 feet, the capacity of the reservoir would include 13,000 acre-feet in the Hogback Reservoir pool, 30,700 acre-feet of water supply storage and 50,800 acre-feet for flood control storage.

Authorization: 1960 Flood Control Act.

Benefit-cost ratio: 1.4 to 1.

Summarized financial data:

Estimated Federal cost	$11,300,000
Estimated non-Federal cost	[2]
Cash contribution	[2]
Other	
Total estimated project cost	11,300,000
Preconstruction planning estimate	570,000
Appropriations to June 30, 1961	[1] 20,000
Planning allocation for fiscal year 1962	50,000
Balance to complete preconstruction planning after fiscal year 1962	500,000

[1] Preauthorization studies costs only.

[2] Local interests are required to reimburse the Federal Government for costs allocated to water supply storage over a period not to exceed 50 years after use of this storage is initiated. The reimbursement has not been determined.

Justification: Construction of the Colebrook River Reservoir is required to reduce flood damages at population centers on the Farmington River. The addition of water supply storage will enable both features to be accomplished to mutual advantage. The operation of Colebrook River Reservoir together with the local protection reservoir at Sucker Brook will prevent $20,180,000 of the $29,430,000 flood losses which would occur in a recurring August 1955 flood (1958 base) after reductions made possible through operation of the Mad River Reservoir (under construction).

Non-Federal costs: Local interests are required to reimburse the Federal Government for costs allocated to water supply storage over a period not to exceed 50 years after use of this storage begins. The reimbursement required has not been determined.

Status of local cooperation: The Hartford (Conn.) Metropolitan Water District has expressed strong interest in the water supply features. The degree of local cooperation will be determined during project design.

Comparison of Federal cost estimates: Federal cost estimate of $11,300,000 is an increase of $4,300,000 over the latest estimate ($7 million) submitted to Congress. The increase is due to inclusion of the cost of water supply storage in the Federal project.

LOWER WOONSOCKET, R.I.

(Initiation of planning)

Location and description: The project is located on the Blackstone River and the tributary Mill and Peters Rivers in the city of Woonsocket, R.I. The project consists of three flood protection units, protecting the Social and Hamlet districts and an area in the vicinity of Bernon Dams. The project includes about 9,500 linear feet of levees and flood walls, 4,640 linear feet of channel improvement, 2,300 linear feet of reinforced concrete diversion conduit, and two pumping plants to dispose of interior storm drainage.

Authorization: 1960 Flood Control Act.

Benefit cost ratio: 1.4 to 1.

Summarized financial data:

Estimated Federal cost	$3,010,000
Estimated non-Federal cost	1,285,000
Cash contribution	570,000
Other costs	715,000
Total estimated project cost	4,295,000
Preconstruction planning estimate	290,000
Appropriations to June 30, 1961	[1] 20,000
Planning allocation for fiscal year 1962	130,000
Balance to complete preconstruction planning after fiscal year 1962	140,000

[1] Preauthorization study costs only.

Justification: Four floods of major proportions have been experienced since 1927. The greatest flood of record, August 1955, caused damage estimated at $12,300,000 in the Woonsocket area downstream from South Main Street. Flood protection is required for 270 acres of the highly developed, thickly settled area of Lower Woonsocket. This area, which was inundated in 1955, included more than 300 buildings of all types, housing more than 20 industrial concerns which employ some 2,800 persons. The project would reduce the average annual damages by about 65 percent and would permit increased utilization of the protected area. The project would prevent recurrence of much of the damage caused by recent storms.

Non-Federal costs: Local interests are required to furnish all lands, easements, and rights-of-way; perform all relocations of roads and utilities; hold and save the United States free from claims for damages; and operate and maintain the project after completion. In addition, a cash contribution of approximately 16.1 percent of the construction cost is required, owing to enhancement benefits to be realized.

Status of local cooperation: Assurances have not been requested. By letter dated April 1, 1957, the mayor of Woonsocket expressed the opinion that all conditions of local cooperation would be met at the appropriate time.

Comparison of Federal cost estimates: The present estimate of Federal cost of $3,010,000 is an increase of $40,000 over the latest estimate ($2,970,000) submitted to the Congress. An increase of $20,000 is due to inclusion of preauthorization study costs and $20,000 due to a reanalysis of the requirements for supervision and administration.

Mr. Chairman, under unanimous consent I include, at this point, a status report on New England flood control as of September 1961:

NEW ENGLAND FLOOD CONTROL STATUS REPORT, SEPTEMBER 1961

It has been 6 years since Hurricane Diane in August 1955 swept over New England bringing torrential rains, disastrous flooding, damages of over a half billion dollars, and taking 90 lives.

After the Diane flood, New England, with the assistance of the Congress, buckled down to the task of providing greater flood protection to the region. The 23 projects previously completed at a cost of $62 million, while a start on a protective plan, were woefully inadequate to protect life and property and the economy of New England.

In addition to disaster relief provided under Public Law 875, the Congress responded to needs evidence by their constituents in two ways. First, in a supplemental appropriation bill in the spring of 1956, it advanced funds for expediting design of authorized projects. Secondly, it provided funds for comprehensive flood studies in the area affected by the 1955 flood. It followed up these actions by orderly provisions of additional funds for study, design, and construction. This approach to the then immediate need and the long-range need has now borne fruit and can be seen in the successful advancement of protective works.

Since 1955, 11 reservoirs and 13 local protection projects costing a total of $83 million have been completed. Six projects valued at $52 million are now under construction, and six projects valued at $33 million are under design.

This 36 project program, costing $168 million, of dams, reservoirs, walls, dikes, tunnels, diversions and channel improvements, is spread over all six New England States.

Of the six projects under design, all authorized since 1955, four—Littleville and East Branch Reservoir and the hurricane protection projects at Pawcatuck, Conn., and New Bedford, Mass., are included in the fiscal year 1962 civil works budget for construction starts.

There are currently 13 other active authorized projects in New England with a cost of $50 million. All but two have been authorized since 1955. Funds for initiation of design for seven of these are contained in the fiscal year 1962 civil works budget.

The survey program is continuing to develop needed and economic flood protection. Five projects valued at $14 million have been recommended by the New England division engineer and are being processed through review channels to the Congress.

Detailed tabulations of projects completed, under construction, design, and for the future are attached.

FLOOD CONTROL PROGRAM IN NEW ENGLAND

Projects completed prior to 1955

DAMS AND RESERVOIR

Project	River basin, State	Completion date	Cost		Project	River basin, State	Completion date	Cost	
			Federal [1]	Non-Federal				Federal [1]	Non-Federal
Blackwater	Merrimack, N.H.	1941	$1,336,000	0	Tully	Connecticut, Mass.	1949	$1,581,000	0
Edward MacDowell	do	1950	2,034,000	0	Union Village	Connecticut, Vt.	1950	4,072,300	0
Franklin Falls	do	1943	7,963,500	0	Mansfield Hollow	Thames, Conn.	1952	6,399,000	0
Birch Hill	Connecticut, Mass.	1942	4,285,000	0					
Knightville	do	1941	3,216,300	0				32,671,400	0
Surry Mountain	Connecticut, N.H.	1942	1,784,300	0					

See footnotes at end of table.

Projects completed prior to 1955—Continued

LOCAL PROTECTION PROJECTS

Project	River basin, State	Completion date	Cost	
			Federal [1]	Non-Federal
Fitchburg	Merrimack, Mass	1938	$1,370,000	0
Haverhill	do	1938	1,743,000	$120,000
Lowell	do	1944	1,285,000	90,000
Nashua	Merrimack, N.H.	1948	270,000	3,300
Chicopee	Connecticut, Mass.	1941	1,433,600	250,000
East Hartford	Connecticut, Conn.	1943	2,135,500	270,000
Hartford	do	1949	6,457,200	3,440,900
Holyoke-Springdale	Connecticut, Mass.	1950	4,118,000	207,000
Keene [2]	Connecticut, N.H.	1954	44,100	0
Northampton	Connecticut, Mass.	1941	960,000	150,000
Springfield	Connecticut, Mass.	1941	$1,136,400	$277,400
West Springfield-Riverdale	do	1950	2,717,000	80,000
Winsted	Connecticut, Conn.	1951	245,500	30,000
Norwalk Channel [2]	Norwalk, Conn.	1951	52,200	2,800
			23,967,500	4,921,400
			56,638,900	4,921,400
Grand total			61,560,300	

[1] Includes recreation facilities developed since 1955.

[2] Small flood control projects not specifically authorized by Congress.

Projects completed since 1955

DAMS AND RESERVOIRS

Project	River basin, State	Completion date	Estimated cost	
			Federal	Non-Federal
Ball Mountain	Connecticut, Vt.	1961	$10,300,000	0
Barre Falls	Connecticut, Mass.	1958	1,972,000	0
North Hartland	Connecticut, Vt.	1961	7,120,000	0
North Springfield	do	1960	6,580,000	0
Otter Brook	Connecticut, N.H.	1958	3,995,800	0
Townshend	Connecticut, Vt.	1961	7,070,000	0
Buffumville	Thames, Mass.	1958	2,918,000	0
East Brimfield	Thames, Mass.	1960	$6,580,000	0
Hodges Village	do	1959	4,440,000	0
West Hill	Blackstone, Mass.	1961	2,230,000	0
Thomaston	Naugatuck, Conn.	1960	14,400,000	0
Subtotal			67,605,800	0

LOCAL PROTECTION

Hartford (Folly Brook)	Connecticut, Conn.	1957	$382,400	$251,600
Huntington [1]	Connecticut, Mass.	1959	6,000	0
Ware [1]	do	1959	400,000	85,000
Weston [1]	Connecticut, Vt.	1957	13,000	1,800
Norwich	Thames, Conn.	1958	1,210,000	72,000
Woonsocket	Blackstone, R.I.	1960	4,055,000	82,000
Worcester Diversion	Blackstone, Mass.	1960	4,970,000	1,021,000
Torrington (East Branch) [1]	Naugatuck, Conn.	1958	389,300	151,300
Torrington (West Branch) [1]	do	1960	228,200	166,500
Waterbury-Watertown [1]	do	1961	275,000	15,000
Farmington I [1]	Cocheco, N.H.	1956	$87,500	$3,000
Farmington II [1]	do	1959	51,900	2,000
Lincoln [1]	Merrimack, N.H.	1960	120,000	20,000
Subtotal			12,188,300	2,609,200
Total			14,797,500	
Grand total			82,403,300	

[1] Small flood control projects not specifically authorized by Congress.

Projects under construction

Project	River basin, State	Scheduled completion date	Estimated cost	
			Federal	Non-Federal
Mad River Reservoir	Connecticut, Conn.	1963	$4,880,000	$670,000
Westville Reservoir	Thames, Mass.	1962	5,882,000	0
Hall Meadow Brook Reservoir.	Naugatuck, Conn.	1962	2,373,000	570,000
Hopkinton-Everett Reservoir.	Merrimack, N.H.	1963	21,300,000	0
Cherryfield local protection [1]	Narraguagus, Maine	1961	$220,000	$3,500
Fox Point hurricane	Providence, R.I.	1965	11,160,000	4,740,000
Total			45,815,000	5,983,500
Grand total			51,798,500	

[1] Small flood control projects not specifically authorized by Congress.

Projects under design

Project	River basin, State	Scheduled completion date	Estimated cost	
			Federal	Non-Federal
Littleville Reservoir [2]	Connecticut, Mass.		[3]$7,000,000	([3])
East Branch Reservoir [1]	Naugatuck, Conn.		2,010,000	$890,000
Hancock Brook Reservoir [2]	do		2,520,000	0
Northfield Brook Reservoir [2]	do		1,620,000	0
Pawcatuck hurricane [2]	Pawcatuck, Conn.		419,000	176,000
New Bedford hurricane [2]	New Bedford Harbor, Mass.		$11,500,000	$7,320,000
Total			25,069,000	8,386,000
Grand total			33,455,000	

[1] Funds for construction contained in fiscal year 1962 civil works budget.

[2] Reimbursement by the city of Springfield required for water supply costs estimated at $2,175,500.

[3] Funds for design contained in fiscal year 1962 civil works budget.

Other active authorized projects

Project	River basin, State	Estimated costs		Project	River basin, State	Estimated costs	
		Federal	Non-Federal			Federal	Non-Federal
Chicopee Falls local protection [1]	Connecticut, Mass.	[2] $1,880,000	[2] $60,000	Lower Woonsocket local protection.[1]	Blackstone, R.I.	$3,010,000	$1,285,000
Colebrook River Reservoir [1]	Connecticut, Conn.	[3] 11,300,000	([3])	Black Rock Reservoir	Naugatuck, Conn.	3,550,000	0
Conant Brook Reservoir [1]	Connecticut, Mass.	2,080,000	0	Hop Brook Reservoir	Naugatuck, Conn.	2,600,000	0
Sucker Brook Reservoir	Connecticut, Conn.	780,000	50,000	Stamford hurricane protection [1]	Stamford, Conn.	3,094,000	2,556,000
The Island Reservoir	Connecticut, Vt.	4,900,000	0	Total		43,688,000	6,027,000
Three Rivers local protection [1]	Connecticut, Mass.	1,270,000	460,000	Grand total		49,715,000	
Victory Reservoir	Connecticut, Vt.	1,900,000	1,200,000				
Westfield local protection	Connecticut, Mass.	[4] 3,264,000	[4] 416,000				
West Thompson Reservoir [1]	Thames, Conn.	4,060,000	0				

[1] Funds for design contained in fiscal year 1962 civil works budget.
[2] Local interests required to reimburse $294,000 within 50 years, total local obligation $354,000.
[3] Reimbursement required for water supply costs, not yet determined.
[4] Local interests required to reimburse $261,200 within 50 years, total local obligation $677,200.

Survey reports being processed for congressional consideration

Project	Location	Estimated cost		Project	Location	Estimated cost	
		Federal	Non-Federal			Federal	Non-Federal
Ansonia-Derby local protection	Naugatuck Basin, Conn.	$4,870,000	$1,150,000	Westport hurricane protection	Westport, Conn.	$227,000	$93,000
Narragansett Pier hurricane protection.[1]	Narragansett, R.I.	1,181,800	704,200	Total		10,246,800	3,614,200
Mystic hurricane protection	Mystic, Conn.	1,525,000	638,000	Grand total		13,861,000	
New London hurricane protection	New London, Conn.	2,443,000	1,029,000				

[1] Multiple purpose—hurricane and shore protection and navigation.

Mr. JENSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, I shall confine my remarks today to the most controversial item in this appropriation bill—the upper Colorado River storage transmission lines.

The House of Representatives approved the upper Colorado River storage project on March 1, 1956, by vote of 256 to 136. This project had bipartisan support, as indicated by the fact that 136 Democrats and 120 Republicans voted in favor of the project as compared with 63 Democrats and 73 Republicans voting in opposition to the project. It may further be pointed out that the support was nationwide, with Representatives from New England, the Middle Atlantic States, and the East North Central States supporting the project just as strongly as Representatives from the 17 western reclamation States. For example, 23 Representatives from New England favored the project, as compared with 4 opposed; in the Middle Atlantic region, 56 Representatives supported the project as compared with 20 opposed; and in the East North Central region 44 were for and 37 against; for a total of 123 to 61. This is just about the same ratio as turned in by the 17 western reclamation States with their vote of 62 to 31 in favor.

For this reason, it may be said with some assurance that eastern support of the Upper Colorado River Basin storage project played a major role in the favorable enactment of this legislation. I emphasize this fact because due to the concentration of population in the East, the bulk of the money necessary to finance western reclamation projects must come from taxpayers in these more heavily developed industrial areas.

From a careful reading of the House debate, it is clearly evident that this support was given primarily because of eastern appreciation for the water needs of the States of the Upper Colorado Basin for irrigation, reclamation, and human consumptive needs. The East has been pretty reasonable about going along with western needs up to this time.

But the East, with every justification, is becoming more and more suspicious of what is happening under the banner of reclamation. This issue of transmission lines for the Colorado project is another instance of the misuse of reclamation to force another Federal power project on the Nation. This thinly disguised Federal power venture is not lost in the nonreclamation States and they are beginning to question these expenditures which are not directed at improving the Nation's food production capacity but at providing subsidized power for a privileged class of people. It might be well for the elected Representatives in the western part of the Nation to begin giving a little more serious thought to what they are doing to the future of the entire reclamation program.

No one questions the fact that revenue-producing hydroelectric power is necessary as an incidental byproduct to assist in repayment of the storage facilities at reclamation projects, as is the case in the Colorado River storage project.

Serious concern was expressed at the time this project was originally authorized that power production might become the tail that wags the dog by supplanting irrigation and reclamation as the primary purpose of the storage dams. This concern was minimized by the positive statement in House Report No. 1087, 84th Congress, 1st Session, that:

> The Department of the Interior advised the committee that it was sympathetic to the private companies' proposal and indicated that the suggestions would be given studied consideration if the project were authorized. Therefore, the committee expects the proposal by the private power companies for cooperation in the development to be carefully considered by the Department of the Interior and the electric power and energy of the project to be marketed, so far as possible, through the facilities of the electric utilities operating in the area, provided, of course, that the power preference laws are complied with; the project repayment and consumer power rates are not adversely affected.

That, however, was over 5 years ago and many changes have taken place in the Department of the Interior, the Bureau of Reclamation, and the Congress. We now find that the Federal Government is actively lobbying for the so-called all-Federal transmission system to deliver power from the dams in the upper Colorado River storage project to the Government's preferred customers.

This changing attitude of the individuals responsible for this Nation's basic reclamation program will cause those of us from the eastern section of the country serious second thoughts about the future of this program. The original upper Colorado River storage project was accepted—even though it did not specifically benefit the eastern section of the country—on the grounds that irrigation and reclamation would help us all. There can be no justification, however, for now using this project as a springboard for an all-Federal power system as another segment in an overall master plan to construct a nationwide Federal giant power grid. This does affect—and very adversely affect—other sections of the United States, for if Congress permits such a departure from existing policy it may well serve as a precedent for Federal transmission grids in the Southwest, the Southeast, the

middle-Atlantic region, the great Midwest, and even New England. The appetite of public power planners is insatiable until that day when the entire electric power supply of the Nation is controlled by a central bureau in Washington.

There is no doubt that the majority of us in Congress are in favor of full development and proper utilization of natural resources. However, it is equally certain that a majority of us in Congress are not in favor of the socialization of an industry. It seems to me that this is the basic issue underlying these controversies involving private versus public power.

There are those who might say this is an extreme term to use, that this really is not the issue, that there is no desire here to socialize the electric power industry. In this connection, I can only refer my colleagues to the CONGRESSIONAL RECORD of September 6 when the gentleman from Arizona [Mr. RHODES] inserted some correspondence he had received from the manager of a rural electric cooperative. This gentleman from the cooperative is very much in favor of the Federal Government building the transmission lines for the Colorado project.

With his letter of appeal to Mr. RHODES, the co-op manager enclosed an article from a magazine describing how British Columbia has just nationalized the electric power industry in that state—dictatorially, arbitrarily, and without even consulting the people of the state.

As our colleague notes, the gentleman from the cooperative "is applauding the very thing which many people have feared might be the end result of the predominance of public power in the United States."

Now, I will say this for the co-op manager, at least he is honest about his desire to see the electric power industry of this country socialized. Many of his coideologists go to great lenghts to deny this objective.

By means of twisted reasoning and logic they would have us believe that the end product of government displacing business is not socialism but something in the public interest, something which dispenses cheap power, and something which insures that the people benefit from resources development.

On all scores they are wrong. To anyone who has studied even rudimentary economics and politics, Government usurpation of the means of production is socialism and nothing else. Since the people of this Nation are not even being given a chance to express their will and vote on this issue, how can anyone say it is in the "public interest" for the Federal Government to get into the power business. Certainly, there is nothing cheap about Federal power when the true costs are analyzed and the extent of the hidden subsidies are exposed to the light of day. Finally, it is a very special and privileged class that is the recipient of Federal power. If this privileged class can be described as "the people," I would like to know how to describe the 80 percent of the Nation's power consumers who do not get power from Federal projects.

This Colorado transmission line issue seems to me to be a clear case of subverting the cause of reclamation to advance Federal power. It seems to me that the time has come to put a stop to this sort of thing. If Federal power proponents want the Federal Government to take over the power business, lock, stock, and barrel, then let them say so openly and let us get the American people in on the decision. My guess at this moment is they will unequivocally reject any such thought. If any proof of this is needed there are the results of the election last November. It will be recalled that the 17 western reclamation States in which Federal power has been made such a big issue overwhelmingly rejected the candidate whose party so strongly endorsed a greatly expanded program of Federal power. That being the case, let us not be responsible for giving the American people a socialized power industry by default—without their knowledge and without their approval.

Mr. KIRWAN. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, first of all I wish to thank the great chairman of the Committee on Appropriations and the members of his committee for the fine legislation they have brought before the committee at this time. I also wish to take just a moment—I wish I had longer—to thank the gentleman from Ohio [Mr. KIRWAN] for what I consider to be one of the most constructive of statements as to what is involved in the Colorado transmission line controversy.

I wish also to commend the gentleman from Tennessee [Mr. EVINS] and the gentleman from Massachusetts [Mr. BOLAND] and all the others who will speak in support of the additional appropriations for the construction of transmission lines for the Colorado River project. They have made an outstanding contribution.

I am particularly pleased that the committee has provided additional funds for more basic transmission lines for the upper Colorado River project. I have been advised that an amendment is likely to be offered to strike such new moneys from the provisions of this legislation. It is on this subject that I particularly desire to speak at this time.

May I say that nobody ever spoke more honest words than the gentleman from Tennessee [Mr. EVINS] when he said that the most expensive segments of the transmission lines and the less valuable as far as returns to the Federal Government are concerned, have already been started and are being constructed by the Federal Government; and, that the private utilities now wish to come in and take over, from this particular place in the construction, the advantages which, in my opinion, would amount to great value for the investor-owned utilities for which they would be investing very little in return.

I was highly flattered last week when one of my very able colleagues suggested that I try to explain in a couple of minutes just what is the problem involved. This request, on a matter on which scores of trained individuals have been hard at work for many months, brought once again to my attention what limitations of time we work under here in the National Congress but I shall do my best to meet my friend's request.

Now, just what is the problem. First, we must picture in our minds an area equal to 5 percent of the total area of our original 48 States, an area filled full of natural resource values just waiting to be tapped and to be used for the benefit of our national economy and welfare. To make possible such contribution by this area and its people the Colorado River Project Act was enacted and approved in 1956.

Let me take just a moment to reply to two or three statements that have been made here on the floor. I have heard those who are going to support the amendment state the position of the Upper Colorado River Commission as evidenced by a resolution from a meeting which the commission held in Denver on September 1, 1961.

Let me preface my answer thereto by the statement that the Upper Colorado River Commission has no jurisdiction in the particular matter of the controversy over transmission lines, although they are or should be interested in the question of who constructs such transmission lines and the return of net moneys to the basin fund. The commission has no sizable staff and it has made no extended study of this particular matter. Their engineer, who is reported to have spent 3 days studying the proposition, has said, I am advised, that he was unable to make a decision as between the various offers made to the Bureau of Reclamation by the public power group. According to my information, he is reported to have said that the reason he could not make any determination was that the assumptions made and the problems involved were just as different as apples from oranges. I think that we should be careful how we quote or evaluate the position of the Upper Colorado River Commission.

Let me read you a telegram which I received from the Governor of Colorado soon after the meeting of September 1 was held. It reads as follows:

DENVER, COLO.,
September 6, 1961.

HON. WAYNE N. ASPINALL,
Member of Congress,
House Office Building,
Washington, D.C.:

On September 1, 1961, the Upper Colorado River Commission adopted a resolution endorsing a proposal by various private power companies to permit those companies to construct, own, and operate major segments of the Colorado River storage project transmission system. A meeting of the commission was held in Denver, Colo., for this purpose, during my absence from the State. I am sure that you have already been advised of the commission's action.

The official agency of this State in matters pertaining to reclamation development is the Colorado Water Conservation Board. That board, after intensive staff study, adopted a resolution on August 2, 1961, endorsing the construction of the transmission system which heretofore has been approved by Secretary Seaton and Secretary Udall. I have already expressed my complete and continuing support of our State board's position.

The purpose of this communication is to advise you that the recent action of Colorado's commissioner on the Upper Colorado River Commission, who incidentally is my appointed representative to the commission, was undertaken without my knowledge or consent. The action was likewise taken without the knowledge, consent, or counsel of the Colorado Water Conservation Board, our official State agency.

I am also advised that the technical staff of the commission was never requested to make and therefore never made a recommendation on the important issue which was the subject of the commission's resolution.

I am further advised that the so-called new proposals of the private power companies were never made in writing until after the commission adopted its resolution. I also have information that members of the Upper Colorado River Commission met in secret session with officials of the private power companies in Salt Lake City, Utah, about a week before the official commission meeting of September 1, 1961. The proposals made at the Salt Lake City meeting were never communicated to me, to the commission's own staff, nor to the responsible State agencies.

We would be pleased to receive any new proposals by the interested private power companies and to have such proposals made available for review and recommendation by the appropriate State agencies, by the commission's own staff, and by the Secretary of the Interior. Until such proper reviews and recommendations are made, I shall forthwith ask the Upper Colorado River Commission to withdraw its resolution of September 1, 1961.

I have just communicated with Colorado's commissioner, Ed Johnson, who has agreed to join me in asking the Upper Colorado River Commission to reconsider its position. I will likewise ask our State water board immediately to reevaluate its position in light of the new private power companies proposal.

Until the foregoing action takes place, I wish to emphasize that the action of the Upper Colorado River Commission and of Colorado's commissioner thereon as herein described, was and is contrary to my position and to the official position of the State of Colorado.

Sincerely,

STEVE MCNICHOLS,
Governor of Colorado.

Accordingly, the resolution that was supposedly agreed upon, at the request of the representatives of the private utilities involved, is not firm and cannot be so considered.

There has been a statement made in this debate that the private enterprise system was in danger because of this particular program. Let me say that if the private enterprise system is in danger because of the proposal to permit the Federal Government to construct the necessary backbone transmission lines in this project then it has been in danger a long, long time, because if I remember correctly, every multiple-purpose irrigation and power project that has ever been authorized has carried with it the authorization for the necessary facilities for such generation together with the transmission facilities to carry that power to load centers—if transmission facilities were not already in existence to render the required service.

In other words, for some 30 years we have followed such a course and in my thinking no one can successfully make the cry of "socialism" or say with conviction that we are now approaching a new ideology—something other than the principle of the private enterprise system or capitalism, if you please, to which all of us give our adherence and loyalty.

There has been a statement to the effect that, perhaps, the nonreclamation areas are getting tired of financing some of these reclamation projects. I listened very attentively and very interestedly to the statement of the gentleman from Illinois. May I say that his predecessor who was here in the Congress at the time the vote was taken did not support the legislation authorizing the upper Colorado River project although his President advised him to do so. I can understand why the gentleman's predecessor might have been opposed to the project but it is my thinking that he was not opposed to the project because of the fact that it carried with it the authorization for the construction of power facilities in order to make possible the contribution to the basin fund of the necessary revenues to build the irrigation facilities of the project.

Mr. Chairman, I wish to state just as briefly as time will allow what I consider to be involved in this controversy. Under the reclamation law of 1902, we authorized the construction of those projects found by the Secretary to be economically, physically, and financially feasible. Such projects were single purpose projects—and that purpose was irrigation. Only a very few projects were authorized from 1902 on until 1939, which carried with them other facilities. I believe that those which did were authorized by separate authorization by the Congress. In each instance, history records that where generating facilities were authorized that transmission lines were also authorized to carry the power to the load centers providing already existing transmission facilities were not present. That is all that is involved in the matter now before this committee. There are no existing transmission lines, private or otherwise to load centers. The facts of the case are that many of us are willing that agreements for wheeling that are mutually advantageous to the upper Colorado River project and the private utilities, or the public power users, the preferred customers in the marketing area be entered into where such facilities are in existence and able to serve efficiently. In the Colorado River Project Act we authorized the construction, as speakers previous to me have said, of the necessary backbone transmission facilities just as had been done in previous authorizations. Not only that, we went even further—and it was language which I helped with, after listening to the private utilities—we placed language in the House report to the effect that wherever it was possible to enter into mutual agreements between private utilities and the Bureau of Reclamation for the wheeling of power in the marketing areas, we recommend that it be done. Now what has happened? The Bureau of Reclamation began the necessary studies for the construction of the required transmission lines soon after the project was authorized. Then they were requested by the representatives of the private utilities to make known to such utilities the plan which the Bureau had developed. It is a very involved process to determine what load centers there are going to be around an area and to determine how the power is going to flow. It taxes the abilities of the best trained engineers.

The investor-owned utilities in the area, five in number, pressed quickly—too quickly in fact—for the Bureau of Reclamation to announce its system—overall transmission system—so that the investor-owned utilities might make their offer. The transmission system was announced and the private utilities made their offer. It was studied by the Bureau of Reclamation and found not to be in the best interests of the Colorado River project and the people to be served thereby. This decision was made by Secretary of the Interior Seaton and later concurred in by Secretary Udall. The private utilities found themselves in trouble.

Then, after continuing study—and there must be further studies—the Bureau of Reclamation modified its original proposal. The investor-owned utilities then saw their opportunity and complained that the signals had been changed without taking the private utilities into consideration. So they, the private utilities, then proposed their own plan known as the combination plan which in effect served their interests primarily. In the meantime the "preferred customers" groups began making their ambitions known because under existing law they have first right to the use of the power generated at the Federal installations.

Then began, Mr. Chairman, one of the hottest lobbying battles that Congress has seen for a long, long time—national in scope. This controversy soon found itself before the Subcommittee on Public Works of the House Committee on Appropriations. The subcommittee was soon enmeshed with contentions, allegations, and figures. At the same time the committee had the responsibility of protecting the Federal investment and the integrity of the Colorado River project.

The committee has done an outstanding service to the Nation generally and to the reclamation program specifically in the conclusions that they have reached and the recommendation they have made to the Members of the House on this particular matter. Again, I commend them most heartily.

Mr. Chairman, I have appeared here in the well of this Chamber as a sincere, and, I hope, prepared advocate of the Colorado River storage project—an advocate who desires to see this great multiple-purpose water resource project make the contribution to our national economy and welfare, and security in some instances, that it can make if it is permitted to develop as originally proposed and planned, an advocate who desires this reclamation project to be treated in the same manner as other multiple water resource projects authorized and constructed before it, an advocate who believes that when public

moneys are spent or Government credit advanced, benefits received therefrom should flow to the people generally, an advocate who desires to keep his commitments to his colleagues who supported this undertaking more than 5 years ago by the overwhelming vote of 256 to 136.

Mr. Chairman, I do not find myself in the well of this forum for the purpose of defending or upholding in all particulars the activities of the Federal agency charged with the administration of this program. On the other hand I would say that in my opinion it is as honorable and constructive in its activities as any agency of Government. I might add that it is my opinion that the harsh words uttered on this floor last week against Commissioner Dominy and other personnel of the Bureau were ill advised and most unfortunate. Commissioner Dominy is an able and honorable public servant and deserves far better treatment than to be assailed in a forum where he is not privileged to answer personally.

This is not—and should not be so considered—a public versus private power controversy. I make this statement knowing full well that others contend contrawise. I would only suggest that if there are those who wish to make it a public power versus private power controversy, then in my opinion it is the overzealous in each instance who would make it such.

The one thing I do not want to see is for this potentially great project to be crucified on the yardarms of public or private power. Neither do I want to see it sacrificed on the altar of bureaucratic ambitions or legislative prejudices.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. JENSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. ROBISON].

Mr. ROBISON. Mr. Chairman, as some evidence that there is something else in this bill besides the upper Colorado River project, I call the attention of the committee to the language on page 5 of the report which specifically states:

> The funds provided include the budget amount of $80,000 for the north branch of the Susquehanna River survey. This survey is to be limited to a study of possible levee systems and channel improvements.

Mr. Chairman, as the sponsor of that survey resolution, which was approved by the House Committee on Public Works on June 9, 1960, I am seriously concerned that that limiting language may negate much of the value of the survey. I also am assuming that this limiting language is the outgrowth of certain local upstream opposition to several large dams or reservoirs that were authorized, some of them as long as 25 years ago, but never constructed. It was my hope that this survey would be comprehensive enough and being made in coordination with the Soil Conservation Service of the Department of Agriculture, would constitute an objective look at the continuing necessity and justification for those dams. It seems to me that that is the only vehicle we have with which to hope to resolve a longstanding dispute in a spirit of mutual compromise.

Mr. Chairman, I have talked with certain members of the committee on this subject, and I have their assurance that the committee will at a later time consider this limiting language, about which I can do nothing on the floor under this procedure, and that they will reconsider the justification for this language as soon as practicable.

Mr. JENSEN. Mr. Chairman, I yield the balance of the time to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, first I want to congratulate and compliment the members of the Subcommittee on Public Works of the Committee on Appropriations not only for the bill which they have brought out but for the high level of the debate which has occurred today. This is a great committee and a great subcommittee. It is headed by the chairman of the full Committee on Appropriations, the gentleman from Missouri [Mr. CANNON] and ably seconded by the gentleman from Ohio [Mr. KIRWAN]. On our side, of course, we have the gentleman from Iowa [Mr. JENSEN] who is as knowledgeable in this field as any Member of the House. Each of these gentlemen is a respected Member of the House. So, I think those of you who have listened carefully to their remarks will be well educated in this matter, which is controversial, to say the least.

I would like to set the record straight on one particular matter. I want it understood that I am a reclamation man. I believe very strongly in the program of reclamation; I have all of my life, and I always expect to believe very strongly in that program. Like the gentleman from Illinois [Mr. MICHEL] I think that reclamation will prosper and will expand as long as it continues to make sense to all of the country. One reason I am up here today is to do what I can to make sure that it does continue to make sense, so that the great water resources, the great power resources of our country, may be developed as they must be developed for the advancement of all of our people, all of the citizens of the great United States of America.

I must take exception, respectfully, to a term used by my good friend from Ohio [Mr. KIRWAN]. I do not believe that the people who want to build these transmission lines should be referred to as "muscle men," and I say this with all good humor to my friend. I was on the Interior and Insular Affairs Committee when this particular project was authorized, as was my good friend from Colorado [Mr. ASPINALL].

Mr. Chairman, when the testimony was taken for the upper Colorado storage project, all of these utilities came before the committee and testified. I might say to my friend from Colorado I do not remember their having made any difference between a backbone system and a system of transmission of power between market areas; I do not recall that the distinction was made. I do not really see how I could make it at the present time. They testified at the time on building a backbone transmission system for the upper Colorado storage project. Further, may I say to my good friend from Ohio that these people did not volunteer; these people were invited to come in by the Congress of the United States.

It is true that the preference customers do not want them. It is true that the Bureau of Reclamation apparently does not want them. The Congress of the United States did want them when the upper Colorado storage project was passed, as indicated by the hearings and the committee report. They have every right to be in this picture, and I submit they have made a proposition which the Government of the United States should not turn down.

It has been asked as to why the utilities want to build these transmission systems. I have asked this myself. We have heard people say the Government is building dams and now the utilities want to "skim the cream." This is not the true situation, and cannot be, because in the reclamation law there is what we call the "preference clause." A preference customer of power roughly defined, is a State, county, municipality, REA, or any public body which qualifies under the law, and under the law the preference customer gets all the power it can properly use. Preference customers in the upper Colorado storage project marketing area have applied for power which is in excess of the amount which will be distributed or distributable from the transmission facilities of the upper Colorado storage project. So there is no question of anybody but preference customers getting any "cream" from the production of this power. If anything is to be derived by the utilities from the building of these transmission lines it will have to be, then, from the lines themselves, from the wheeling or from some other condition which exists because of the fact that they built the lines.

What are they charging? They are charging approximately 1.1 mills per kilowatt-hour to wheel the power. This is figured to amortize the cost of the system, plus interest in about 50 years. This could hardly be called profiteering. It was indicated by my good friend from Tennessee, Mr. EVINS, that after the companies amortize the lines they will reap great sums of money because they will own the utility lines and will continue to charge the same amount for wheeling. This is not the situation, because after the utility lines are paid out then the only wheeling charge made is an amount equal to the local taxes paid plus operation and maintenance of the lines themselves; in other words, at the end of 50 years, or at the end of the pay out period, whichever occurs first, the wheeling cost goes down to a figure equal to the local taxes and the operation and maintenance charge.

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

Mr. RHODES of Arizona. I yield to the gentleman from Tennessee.

Mr. EVINS. Will the gentleman deny that the utilities will be paid a wheeling charge in perpetuity as long as the lines last if the utilities proposal is adopted?

Mr. RHODES of Arizona. The only wheeling charge will be the actual cost to the utilities after the 50-year payoff period. The lines will have to be operated and as long as they are, there will have to be an operation and maintenance charge, no matter who builds these lines, the only difference is that utility-owned lines will continue to pay State and local taxes, whereas Government-owned lines will never pay such taxes. I do not object to that fact. I think it is very essential, that the localities be able to collect some taxes because of the existence of these lines.

So the only profit that the utilities can possibly get from the construction of these lines comes, then, from the operation of an integrated, multiple-purpose system of electric transmission. The Government and the utilities themselves will benefit from the existence of this type of system because it will mean less line loss to both of them as this particular project operates through the years. This saving must be shared.

It has been estimated that the Government will save as much as $55 million just by line loss alone if its power is thus transmitted by an integrated multiple-purpose system.

The Bureau of Reclamation has utterly refused to take this benefit into consideration in figuring the economics of the utilities proposal. This is only one of the great fallacies involved in the figures which the Bureau of Reclamation advances as a reason for rejecting the proposal of the utilities.

It has been said that if there is this great advantage in integration, Why does not the Government build the lines and have this advantage to itself? This could be done, if the Government pays the utilities any difference in benefit which results from the integration. It is impossible right now to tell how much this benefit will be worth. The utilities offered a package proposal. If they build the lines, integration will occur at no extra cost. However, if the Government builds the lines, then it desires to integrate, the benefit which occurs from integration will be subject to negotiation. It has been estimated by some that the benefits will be about equal. It has been estimated by more people, however, that the benefit to the Government will be somewhere in the neighborhood of $1 or $2 million a year in excess of the benefit to the utilities. This must be added to the cost of the upper Colorado storage project to determine the economic feasibility of the participating projects. If you do not accept the utility proposal, you cannot expect them to give something for nothing. If they get an advantage, from integration, the Government gets a commensurate advantage.

If the Government lets the utilities build the line, and later does not like the way the utilities are operating these lines, the Government has several outs. One would be to parallel the lines. That is not a very popular thing to do. This great committee, I am sure, would frown on such a proposal as that. There is another way, however. The Government can take over these lines by eminent domain. The Government under the Constitution and the law has the right to condemn the lines if the utilities do not operate them in accordance with the best interests of the taxpayer, the consumer, and everyone else who has a vested or legal interest in the upper Colorado River storage project. Do not think you are getting into a situation you cannot get out of. You can get out of it You can get out of it by the process of eminent domain, if by no other way.

I have said that all of the power will go to the preference customers. What will they pay for power? The preference customers will pay the same rate for this power, a postage stamp rate of 6 mills, no matter who builds the utility lines. This has been demonstrated time after time by testimony, as well as otherwise. Also, as far as the participating projects of the upper Colorado storage project are concerned, they will be paid out no matter who builds the lines. In fact, they will be paid out sooner if the utilities build the lines than if the Government builds the lines.

The gentleman from Ohio and I have separate sets of figures. We disagree on them, except I do not think the gentleman from Ohio has taken into account a fairly recent proposition involving a change in the wheeling rate after the 50-year payout period. This is what the figures show. In 50 years the utilities proposal will result in a net of $380 million in the way of a net revenue to the upper Colorado storage project over and above the amount which will accrue to that project if the Government builds the lines. At the end of 86 years that amount will be $477 million. In other words, all of the presently authorized participating projects will have been paid out and there will be $477 million left in the bank.

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

Mr. RHODES of Arizona. I yield to the gentleman from Ohio.

Mr. KIRWAN. The committee and the Department of the Interior have taken into consideration the last offer. Has the gentleman another one that has not been officially offered to the Department of the Interior?

Mr. RHODES of Arizona. It is my understanding this offer was made to the members of the Upper Colorado Commission.

Mr. KIRWAN. Did they take it into consideration?

Mr. RHODES of Arizona. It was offered in the presence of the Upper Colorado Commission, and the commission then voted unanimously to endorse the utilities proposal.

Mr. KIRWAN. I do not think that an offer to the commission can be accepted as an official offer to the Federal Government.

Mr. RHODES of Arizona. Now, just a minute. The gentleman from Ohio should look at the law which authorized the project.

The Federal Government has by a compact agreed that there should be an Upper Colorado Commission. This is created by interstate compact. This is a very important board. It oversees the operation of the upper Colorado compact, which is the legal document which divides the waters of the Colorado River allocated to the upper basin States. I will have to state that the gentleman from Ohio [Mr. KIRWAN] and I must disagree on some of the figures involved in this particular presentation.

Mr. Chairman, another thing which we should take into consideration is the firmness of the figure offered by the Government for the construction of its transmission lines. The original yardstick system which was propounded by the Bureau of Reclamation and, incidentally, upon which Secretary Seaton made his findings, is a system which will not work. It was agreed by practically everybody that the yardstick system would not work. It would not transmit power.

So, we have here, then, a situation in which the Federal Government has never yet told this committee or any other committee exactly what plans it has for this transmission system. If we do not know what the transmission system is going to be like, we cannot know how much it will cost. We do not know what that cost might do to the economic feasibility of the upper Colorado River storage project. On the other hand, we do know what the cost will be, if the utilities are allowed to build the line. The cost will be an amount equal to about 1.1 percent of the wheeling cost for the first 50 years or——

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

Mr. RHODES of Arizona. I yield to the gentleman from Tennessee.

Mr. EVINS. The gentleman will agree that there have been proposals and counterproposals and further reductions, and the further we fight this, the more the utilities reduce their prices offered to the Government.

Mr. RHODES of Arizona. This is one of the best reasons I can think of for not funding these lines this year. Maybe we ought to wait to see just how good a proposition we can get.

Mr. Chairman, since the gentleman from Tennessee [Mr. EVINS] has made this very valid point, perhaps we should take several looks at this particular project and make sure we are getting the best deal. Certainly we should make the Bureau of Reclamation put on paper in some way the lines it intends to build and firm up its marketing criteria, and also set a reasonable cost for the construction lines themselves. Very frankly, one reason why I must, as a Representative of Arizona, look askance at the plans of the Bureau of Reclamation is this: Their marketing criteria says they are going to market 600,000 kilowatts of energy in Arizona, but their plans call for a line going to Phoenix with 345 kilovolts capacity. I do not know how you are going to get 600,000 kilowatts of energy over a line with a 345-kilovolt capacity.

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

Mr. RHODES of Arizona. I yield to the gentleman from Colorado.

Mr. ASPINALL. I think that my colleague, the gentleman from Arizona [Mr. RHODES], will admit that there have been discussions had by representatives of the Arizonia Public Service Co., which is presently building a powerplant at Four Corners, and that under any kind of agreement which we hope will be arrived at, we will be able to coordinate the activities of this private utility of Arizona and the operations of the Bureau of Reclamation in the Colorado River program to the mutual advantage of all concerned.

Mr. RHODES of Arizona. The gentleman will have to admit, however, that that is conjecture, and it depends completely upon whether or not the proper ratio of benefits can be agreed upon and the proper contracts executed.

Is that correct?

Mr. ASPINALL. I think that is right, but I think that what has been proposed for the Glen Canyon and Four Corners facilities and what the Bureau of Reclamation wishes to do between Glen Canyon and Pinnacle Peak in the gentleman's area will not destroy either the future operations of the investor-owned facilities or the Bureau of Reclamation operation and will in fact aid the coordinated activities which have been proposed.

Mr. RHODES of Arizona. I am glad the gentleman from Colorado agrees that 600,000 kilowatts of electricity shall be marketed in Arizona.

Mr. MICHEL. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE], may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. CONTE. Mr. Chairman, included among the items in the public works appropriation bill for 1962 are two projects of interest to my constituents in the First Massachusetts Congressional District. These are $300,000 to commence the construction of the Littleville Dam, and $50,000 for planning local protective flood control projects on the Westfield River. I am very pleased, Mr. Chairman, that these two items are included in this appropriation bill now under consideration. The need for the Littleville Dam is unanimous, although many of the citizens of the area do have objection to the use of the reservoir as a source of water for the city of Springfield, Mass. It was their hope that the reservoir could be used for recreational purposes. However, being the good citizens that they are, they have sympathetic understanding of the water needs of their neighbors in Springfield.

Mr. Chairman, I want particularly to commend the committee for including in this bill the appropriation of $50,000 for planning urgently needed flood control projects on the Westfield River. In the past, floods on the Westfield have caused extensive property damage. The Army Corps of Engineers have recommended the construction of earth dikes and concrete floodwalls to eliminate the havoc resulting from these floods. This bill makes available the funds necessary to commence the planning of these projects.

Mr. KIRWAN. Mr. Chairman, I yield such time as he may require to the gentleman from Alabama [Mr. BOYKIN].

Mr. BOYKIN. Mr. Chairman, I wish to express regret that the Appropriations Committee deleted $275,000 for the acquisition of the Choctaw National Wildlife Refuge in connection with the Jackson lock and dam project in Alabama.

The committee, in reporting on this reduction in the budget estimate, said it was not satisfied with the justification offered by the Corps of Engineers and indicated the belief that if it is considered further, it should be justified by the Fish and Wildlife Service in its regular budget presentation to the Congress for the 1963 fiscal year. I am informed, however, that the proposed Choctaw refuge is to mitigate losses of wildlife habitat caused by inundation from the navigation pool and to enhance wildlife values at a most strategic point. Further, the proposed $275,000 item, which was deleted, properly belongs in the Corps of Engineers budget in accordance with the Fish and Wildlife Coordination Act which clearly provides for facilities such as this with funds to be supplied by the project agency. Moreover, the Choctaw refuge was specifically authorized in 1960.

Failure to acquire the lands likely will result in additional increased costs which, due to the Federal investment in this project, have gone up from $120,000 to the $275,000.

The Corps of Engineers and the Department of the Interior are in accord with the Choctaw project. The Alabama Department of Conservation plans to locate a wildlife management area adjacent to the refuge and strongly urges appropriation of the necessary funds.

Mr. Chairman, I hope that if the other body sees fit to include funds for the Choctaw refuge our House managers may reconsider the committee's action in conference.

Mr. KIRWAN. Mr. Chairman, I yield the balance of the time on this side to the chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Chairman, the Committee on Appropriations had, as always, a large number of requests for appropriations for much needed projects throughout the country.

There is never enough money to go around, and that was particularly true this year because of the insistent demands of national defense.

So, reluctantly, regretfully, the committee has had to deny many meritorious requests for appropriations and as a result we report a bill considerably less than that reported last year.

And this bill carries the one vital item debated by every speaker here this afternoon—the provision for completion of the Federal power system by construction of the transmission lines to connect up the dams and centers of generation already installed or to be installed.

The question raised by the proposal to construct these lines is the most important question, outside of national defense, to come before the Congress this session. In its effect upon the future development of the country and upon the future welfare of the present and future American citizen it is the paramount question before the country today.

It touches every family in America. Every household in the Nation every month pays an electric power bill, and the amount of that bill increases every year as the demands for power increase in our increasingly intricate and complicated economy.

No other action that could be taken by Congress will affect so many so directly as this provision, not even the mails, because every day the tabulator on the electric meter is spinning day and night charging for current supplied in every family, to every consumer in America. It is ubiquitous and uniform—universal and omnipresent, in every household, urban and rural. The mailman knocks twice but the meter reader knocks until he is admitted. It is more certain than taxes and as inevitable as death.

As you may have noted, there are two classes of companies which are supplying this ever-accelerating demand. There is the investor-owned company widely advertised in the national magazines and there is the consumer-owned company provided for in this bill.

We deal here with the consumer-owned company. Of course, all national resources, including these powersites, rivers, water power, and their appurtenances, belong to the Nation, belong to the people, belong to the consumer. The investor-owned companies can secure them only by grant or purchase through Congress, including those provided for in the pending bill.

As explained in the report the Federal Government has elected to improve them and is now requesting funds to connect up the widely separated units to complete the grid.

But the investor companies are attempting to muscle in—"reaping where they have not sown and gathering where they have not strawed." They are interested in dividends—the highest rates obtainable to provide high returns on their stock. Service is secondary.

The consumer-owned companies are interested in service—at the lowest rates possible.

So, the issue here is whether we will support the consumer-owned company and provide lowest rates and cheapest electric service to every family in our respective districts or whether we will support investor-owned companies and high dividends to be paid, of course, by the consumer. That is the question pending in this amendment.

The statement has been made that there is an ulterior purpose here—to establish a Federal monopoly in the production and distribution of power. Nothing could be more absurd—and nothing could be further from the facts.

Never in the history of this House in all the flood of thousands of bills that

flow every session into the hopper, has a single bill been introduced by any Member even suggesting a Federal power monopoly. Never has any single Member of Congress, in either the House or the Senate, suggested either directly or indirectly—on the floor or off the floor—that there should be a Federal monopoly of power. We believe the bulk of the power business should be transacted by private companies, by private industry, by free enterprise.

What we insist on is that there should be sufficient public power to keep rates reasonable, to have a yardstick, to have a policeman on the corner, to have enough competition to control predatory rates and service.

There have been widely varying quotations of figures on both sides this afternoon. The committee has had before it, both in the last administration and in this administration, the best, most experienced, experts that could be secured. There can be no question about the accuracy and dependability of the accountants who have staffed the departments and bureaus of the two administrations and the committee accepts their figures. All computations show it would cost the taxpayer less for the Federal Government to build than to turn it over to private producers to build. The private companies have shifted their basis of computations from time to time but all estimates demonstrate a decided saving to the taxpayers through Federal construction.

They are trying to put up a tollgate on a necessity of life that is as indispensable to the average family as are air, water and sunlight. Today every family must have electricity, and Congressmen must see that they get it at as reasonable a rate as can be provided.

The cost of producing power is being steadily reduced through mass production and scientific and mechanical development. It costs less every year to produce electricity, but have you ever known a private utility voluntarily to reduce the cost to the consumer? In many of our municipally owned public power enterprises they give the consumer the December bill. In the Christmas month more electricity is consumed than in any other month. Many of them at the end of the year make the consumer a present of the December bill.

The other day the TVA announced a permanent reduction in rates. The announcement produced such an outcry on the part of the private utilities you would have thought TVA was suspending the writ of habeas corpus. Although the private companies in the TVA territory are doing more business and making more money than they ever made before TVA was built. We are producing and distributing power at a lower cost all the time and we are ready to give the customer the benefit of the saving. But the private utilities object.

If you vote for this amendment today you vote to turn our rivers and dams and generators over to a few men in the great centers of wealth, men largely subservient to Wall Street and eventually controlled by Wall Street capitalists. Don't tell us that Wall Street is a slogan. Capital in such sums cannot be negotiated anywhere else and the Wall Street Journal is a daily testimonial to the fact.

Now I am not decrying Wall Street or the Wall Street Journal. Both are adjuncts and factors in American enterprise and I take great pride in them. But I do not trust them to administer our national assets without proper safeguards and limitations.

If our powerplants are owned by the Government they will be under control of Congress. Any consumer who is not properly cared for has his recourse. He can appeal to his Congressman. But if the private monopolies are in control and rates are too high or service unsatisfactory he can "holler his head off" and no one will hear or care.

Once the power trust takes over our powersites, all control—all consumer right to redress—is gone forever. And in a generation we will have a superclass—an aristocracy of wealth—"economic royalists" as Franklin Roosevelt termed them—who neither toil nor spin but who clip coupons and draw dividends and fare sumptuously every day. And the rest of us will be serfs and coolies and peasants and lackeys. You can see it on every hand in Europe today.

This is the question with which we are really dealing when we vote to take our choice of investor-owned companies or consumer-owned companies as offered in the pending bill today.

I realize that when you come to strike a trial balance and figure where political expediency lies, the consumer cannot offer you much political return for your vote. The power trust keeps books. They will paste the rollcall in the ledger. They will remember how you vote. But the consumer, the housewife, the taxpayer the wage earner may not even know there was such a vote—or if they do know about it, will probably forget it before the next election. I must acknowledge it is rather a bleak outlook—rather a thankless stint. But we do know that while there is a large staff here of high-powered, high-paid public relations men to take care of the interests of the investor-owned companies, there is no one here to look after the consumer but you. They are under every roof in your district. They are engaged in a constant struggle against the ever-mounting high cost of living. Unless you protect them nobody will.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. DADDARIO. Mr. Chairman, this bill contains two sums, amounting to $150,000 and $140,000 respectively, to complete the engineering and design of a dam on the Quinebaug River in West Thompson, Conn., and the sum of $1.7 million to complete the construction, already in progress, of another dam at Westville, Mass., which is part of the Thames River Valley flood protection project.

I also want to present to this House the endorsement of these projects by the Honorable John Dempsey, Governor of Connecticut. Governor Dempsey was mayor of Putnam, Conn., when the devastating floods of 1955 struck his town. He knows from firsthand experience the need for better flood protection in the valley.

The case for these appropriations was presented to the Public Works Subcommittee of the Committee on Appropriations by Samuel T. Sheard, chairman of the Quinebaug-French River Manufacturers Association executive committee. This association represents about 75 business concerns, but speaks, I know, for the entire population of the valley.

Governor Dempsey wrote me to endorse fully the testimony of Mr. Sheard, and he added, and I quote:

> As a former mayor of Putnam, which alone suffered nearly $7 million in damage during the 1955 flood, I am highly aware of how greatly this protection is needed.

We have read in our newspapers today of the tremendous damage being inflicted by hurricanes and floods that have hit Galveston and the Texas coast. Our sympathy goes out to the stricken. The lesson of what water can do should reinforce our determination today to continue to make progress in protecting communities against such onslaughts.

Floods may be expected in the 1,474-square-mile Thames Riven Basin at any time of the year. Damages in the record flood of 1955, which was caused by torrential rains accompanying Hurricane Diane, were estimated at $62 million and eight lives. Operation of flood control works completed prior to that flood were estimated to have saved more than $4.3 million.

A general improvement program envisioned five to seven dams to give protection to the valley. Three of those dams are now complete. The fourth and fifth are those on which we may vote today, and I would earnestly urge that the House give its full support to these appropriations. The Engineers have recommended a new look at the other proposals.

I want to congratulate the Committee on Appropriations for its action in approving these recommendations by the Army Engineers and hope they are enacted into law.

Mrs. SULLIVAN. Mr. Chairman, the public works appropriation bill now before us is of great importance to St. Louis because it contains additional funds to continue work on our great floodwall to protect our city from future flood disasters. The committee has provided us with the full amount of the budget request, and I am grateful for that.

I am taking these few moments, Mr. Chairman, for the express purpose of getting on the record here today a fact which we in St. Louis are aware of, but which I think bears repeating. It is this:

If it were not for the gentleman from Missouri, CLARENCE CANNON, the chairman of the Committee on Appropriations, the dean of the Missouri delegation in the House, the most courtly gentleman any of us have ever had the good fortune to know, we would not now have a flood control project rapidly approaching effectiveness in St. Louis. We had to overcome the gravest delays of the Budget Bureau during the previous administration in getting an

initial appropriation to start the work. Congressman CLARENCE CANNON made it possible—used his great know-how and put his heart into this for us—and we in St. Louis are and will be eternally grateful.

As we prepare to end this session and return to our districts, I look around this Chamber and see many Members who have similar reason to be grateful for the kindness and legislative skill of the gentleman from Missouri, the Honorable CLARENCE CANNON, for saving numerous lives and untold property values of residents of their districts by helping to provide effective flood control.

Mr. Chairman, it is contrary to the rules of the House for me to turn and say personally to the gentleman from Missouri [Mr. CANNON] "Thank you from the bottom of my heart." If it were proper for me to do that under our rules, I would certainly do so.

Mr. BOW. Mr. Chairman, all of us who live in Canton, Ohio, and its environs are pleased to note that the funds required for a study of flood problems in our area are included in this measure.

This is an important step forward in an effort that began 2 years ago when unusually severe winter weather caused two successive and serious floods in Canton and nearby communities.

At my request, the House Committee on Public Works adopted a resolution authorizing the Corps of Engineers to conduct a review and study of our problem.

The corps proposes to study conditions on Sandy Creek and its tributaries including Nimishillen Creek in and near Canton.

The corps estimates that the study will cost $40,000. That amount is appropriated in the pending measure.

Canton's flood problem is one that was neglected for many years. As in so many other situations, little or nothing was done by the responsible officials of the city until disaster struck. We can only hope that the proposed studies may be completed and corrective action undertaken before we have other difficulties.

Mr. Chairman, the mayor and Stark County officials, local citizens' groups and others now assure me that they are prepared to cooperate fully in any plan proposed by the Corps of Engineers.

In this spirit and with the cooperation of the Federal Government, evidenced by the appropriation of this study fund, I am confident we can look forward to the day when residents of Canton and vicinity need have no fear of flood.

Mr. WEAVER. Mr. Chairman, I feel that there has been a great deal of confusion and far too much emotionalism injected into the general discussion of the transmission line business contained in this bill. It has become, in the minds of many, a public versus private power fight. This, it is not. It has become billed as a fight over governmental economy. It is not that, either.

First of all, there is no question in anybody's mind as to who will build the dams and powerplants to supply this million-plus kilowatts of power. That issue has long been settled. The plants on the upper Colorado River will be built by the Bureau of Reclamation and, under existing law, the power will go first to priority customers and then to nonpreference customers. This is a long-established and well-worked-out principle of law.

The Government is already supplying the power. Now the question is: Shall the Bureau carry its own power to marketing centers at which time it will be turned over to preference customers and to private utility firms?

As to the issue of Government economy, that does not exist here. Regardless of which party constructs the lines, the taxpayers will not be out one cent. Every penny of the costs of these transmission lines—if built by the Bureau—will be repaid to the Treasury. And, because this involves power and not irrigation, these repayments will contain an interest payment. So, in fact, the taxpayers will be ahead by Bureau construction.

The only question involved here is cost to the consumers. Under terms of the program worked out by former Secretary of the Interior Seaton and approved by former President Eisenhower, the consumers in the area—including the western part of my own State of Nebraska—will be getting the power at a little better than half a mill less than under the proposals worked out by the private power utility firms.

We are interested here only in providing electricity to a great number of consumers at the best possible rate while still looking out for the interests of the taxpayers. The only way we can accomplish both is through Bureau construction of these lines. I therefore am opposed to any amendment which would strike this provision from the bill.

Mr. JOHNSON of Wisconsin. Mr. Chairman, I am grateful for the opportunity to speak today in support of H.R. 9076, the 1962 public works appropriation bill.

This measure contains an appropriation of $247,000 for advance engineering and design of the long-awaited flood control dam on the Eau Galle River at Spring Valley, Wis., and an appropriation of $15,000 for a study of the proposed flood control project on the Trempealeau River at Arcadia, Wis.

Since I have spoken before you in previous years about the Eau Galle Dam, I will not take up your time by going into the details of this project. However, I would like to point out that the people of the Spring Valley and Elmwood area have suffered through three disastrous floods while waiting for almost 20 years for the proposed Eau Galle Dam to become a reality.

And when I say waiting, I do not mean that they have been idly waiting. Spring Valley has complied with all the stipulations set up by the Corps of Engineers as conditions for participation of the Federal Government in the project. Its citizens have even agreed to purchase the land for the reservoir.

I understand that the Federal Government usually bears this expense. However, the people of Spring Valley are so anxious to do everything possible to carry out this project that they readily agreed to buy the land for the reservoir.

Actually, the flood control project at Spring Valley was started way back in 1941, with a resolution of the Senate Committee on Commerce. World War II intervened, and a detailed survey report was not submitted to the Army Engineers until 1948. The project went before Congress in 1955 and received congressional approval in 1958, but no money was authorized until the following year.

Mr. Chairman, at this point, I would like to comment briefly on the need for the proposed flood control project on the Trempealeau River at Arcadia. Following disastrous floods in 1954, I initiated action to obtain flood control assistance for the people of the Trempealeau watershed. After a 2-year preliminary survey of the area, the Army Engineers recommended that the bulk of the flooding problems on the Trempeauleau River be solved by small watershed projects. However, they also recommended that levees be built at Arcadia.

Original plans called for including the cost of the levees under the small authorized program. However, when it was found that the total cost of constructing the Arcadia levees would exceed the $400,000 limitation on such projects, the Army Engineers requested funds for a detailed study of the proposed project.

In the civil works budget submitted to Congress in January by the outgoing administration, $10,000 had been recommended for study of the levee project at Arcadia. I was glad to see that the amended budget presented to Congress by President Kennedy added another $5,000, bringing the total to the $15,000 requested by the Corps of Army Engineers.

Mr. Chairman, I am fully, wholeheartedly supporting H.R. 9076 and funds for the Eau Galle and Trempealeau River projects. I know that approval of funds for these worthy projects will alleviate the fear of floods under which the residents of Spring Valley, Arcadia, and the surrounding area have lived for so many years.

Mr. KARTH. Mr. Chairman, I rise in support of the public works appropriation bill for 1962.

I think it entirely true that this bill is a liberal and progressive piece of legislation. For he who thinks we can stagnate at home while the world continues to move at its present tremendous speed, is one who obviously still lives in the 18th century. Public works projects are not pork barrel sops. As an illustration, I call to your attention the million-dollar item on page 17 of the committee report. More specifically this is the St. Paul and South St. Paul, Minn., flood control project. For many years these two contiguous areas of my State have been harassed by destructive floods. Human lives and property were in constant peril each spring during high water periods. This project will protect and enhance that area to a tremendous degree. A hundred and more acres are involved right in the heartland of St. Paul. For the first time this land will

provide a vast and valuable industrial park upon the project's completion. Industry can locate at the levee's edge to take advantage of cheap but extremely efficient water transportation 8 months out of each year. It will be on the very brink of St. Paul's great railroad center for shipping east, west, north, and south. Superhighways with new bridge construction assisting, will provide truck transport a ready and immediate access to and from the city. Adjacent to it will be St. Paul's Holman Field Airport. Every conceivable advantage will accrue to Ramsey County's half million people. Jobs will be added and prosperity will receive another shot in the arm under this administration's and this committee's leadership. In addition I personally thank my three colleagues, the gentlemen from Minnesota, Congressmen FRED MARSHALL and Congressman H. CARL ANDERSEN of the Appropriations Committee who have greatly assisted this St. Paul project and Congressman JOHN BLATNIK of the Public Works Committee. In closing let me again state the fact: What often is erroneously referred to as pork barrel, turns out to be a real community blessing for industry, labor, business, and all forms of commerce. It is good that wisdom, rather than slick slogans, prevail.

Mr. GRAY. Mr. Chairman, I want to take this opportunity to congratulate the chairman and members of the distinguished Committee on Appropriations for the excellent job they have done in bringing out the bill now before us. Public works in the fields of flood control, navigation, reclamation, and power development is most important to the social and economic well being of our country. We must continually strive to protect our great natural resources through prevention of floods and provide water and recreational facilities that are so vital to a growing population. I realize it is a difficult task for the Appropriations Committee to include every item requested by Members of the House; however, I believe the bill as presented, represents a fair approach.

I want to particularly thank the committee for allowing my request for $50,000 to continue the feasibility study of canalizing the Big Muddy River and Beaucoup Creek in southern Illinois. We have billions of tons of presently landlocked coal deposits with no economical way of marketing this coal at the present time. We must provide cheaper freight rates through navigation on the river if we are to realize the full industrial potential of southern Illinois.

The $50,000 provided in the appropriation bill, and a small amount next year, will complete this economic study. In an area suffering from high unemployment, it is certainly good to know that we can continue to find ways of utilizing our God-given natural resources to a good advantage.

In southern Illinois we had some unfortunate floods in May of this year and extensive crop damage was sustained on the inside of the Mississippi River levee due to inadequate internal drainage. I had hoped the committee would see fit to include adequate funds to study this important problem. However, as I have pointed out earlier, I realize the committee cannot comply with every request made. I am hopeful the U.S. Army Corps of Engineers will see fit to include funds in the fiscal 1963 budget request for this purpose. A river levee is adequate protection from river floods but causes severe damage to property. When drainage outlets are closed to prevent river water from backing up through the levee without adequate drainage from the internal side of the levee, the water cannot get into the river and, therefore, inundates land inside the river. We have spent millions on the Mississippi River levee from St. Louis, Mo., to Cairo, Ill., and the entire levee project is almost complete. However, the internal drainage problem has only been tackled in a few levee and drainage districts. Therefore, I hope the corps will be able to speed up this important phase of flood control work. In closing, I want to again thank the committee for their consideration and the excellent job they have done on this bill.

Mrs. PFOST. Mr. Chairman, I want to add my voice to those supporting this appropriation to initiate the building of power transmission lines for the Colorado River storage project.

This project, authorized by Congress in 1956, represents a sound program of regional development based on the area's most important river complex. Its impact will be felt in every State in the West, for the day is not far ahead when such regional projects will be linked together to meet power shortages wherever they may rise.

The more than 16 million folks in rural America who are served by electric cooperatives have a real stake in this fight as to who will build the transmission lines—the Federal Government or the private utilities. For what the private utilities want to do, in effect, is to set up tollgates so that they can charge power users some $3 to $5 million more yearly on their electric bills than would be charged otherwise.

This means out-of-pocket money for the average rural electric user in the five-State area—Wyoming, Utah, Colorado, Arizona, and New Mexico, who are directly involved in the project. I, frankly, would rather see the money spent on buying a needed tractor for the farm, or to build an addition to the house or barn, or to send a son or daughter to college.

This makes far more sense to me than to see this extra money go to private companies which are owned and controlled by big eastern interests.

But the private utilities, we should note, are not merely asking for blanket permission to build the transmission lines. What they want to do is build just certain ones—and let Uncle Sam worry about pushing lines into the more remote areas where costs of building the lines run extremely high.

I recall arguments used by the private power companies when the Rural Electrification Administration was born 26 years ago. They called it impractical and said their companies could not afford to build the lines and that the people would not pay for the service. Consequently, only 3 percent of American farms were electrified by 1925, and barely 11 percent when REA began operating. Now, thanks to REA, some 97 percent of our farms and ranches are served by electricity.

I mention these facts simply to put into perspective the arguments being advanced by the private utilities in connection with the administration's request for $13.6 million for planning the first phases of constructing some 3,000 miles of transmission lines by the Bureau of Reclamation.

What the companies want to do is build lines to service the major population hubs, and not bother with sparsely populated areas. In short, they not only want the cream, but they want the milk to go with it.

We must bear in mind that the folks who use the power generated in the $1 billion Colorado River storage project will repay to Uncle Sam the full cost of the dams, along with the cost of the transmission lines, plus interest. They do not need that middleman in there—the private power companies—scooping up the profits.

Congress made its position very clear with respect to the construction and operation of the transmission lines in the Colorado River project when Public Law 84–485 was passed 5 years ago. Section 1 specifically authorized the Secretary to build the lines. The plan was outlined by the Eisenhower administration on January 17, 1961. These plans were reaffirmed 2 weeks later by the Kennedy administration. It was on this solid bipartisan base that the funds were requested to carry out the intent of the act.

It has been estimated that 70 rural electric cooperatives are dependent on the power of Colorado Basin dams. Their service to individual farms is doubling every 7 years. The research services of the Agriculture Department predicts that consumption per farm will reach 5,600 kilowatt-hours annually by 1963 and 10,800 kilowatt-hours by 1975. Yet this use by families will represent only a small part of the power consumed in the five-State area.

Industry, particularly electronics plants, are making increasingly heavy demands. Important missile and other defense installations are also found in the area. The need for low-cost power thus becomes more obvious. The area, moreover, is said to contain great quantities of uranium, coal and other minerals, and the future development of this economic potential will be dependent in large part on the effective use of planning we make now for use of our water and power resources. Irrigation, of course, will add still another broad dimension to the project.

I, therefore, urge the Members to reaffirm the position taken by Congress in 1956 in support of an all-Federal system of transmission lines for the Colorado River storage project. The private utilities' plan goes counter to congressional intent and administrative decision. It would delay the repayment of the public's investment in the project and it

would extend the patchwork, jerry-built type of transmission and distribution systems that have long characterized the development by the investor-owned companies. These shortcomings might be tolerated if the net effect of private-Federal operation to the consumer were the same as an all-Federal system. But studies indicate conclusively that private operation would mean higher rates to consumers. This strikes me as just not being fair and square.

Under all-Federal development, the full potential of the Colorado River storage project will be used to the maximum in the best interests of the people and the Nation as a whole. I sincerely hope the Members will keep in mind the vision of a growing America, and defeat the move to delete the funds for the transmission lines.

Mr. ROUSH. Mr. Chairman, the bill we have before us today is one of vital importance to this Nation. It is important not only to us in this day, but it has unusual importance for the generations which will follow us. We place great emphasis on the great abundance of this land of ours and we rightly should be proud of it. Its preservation and careful use should be also part of our thinking.

Man, in this modern age, has found that he can, to a limited extent, harness the great forces of nature and use them to his advantage. I am referring specifically to our flood control projects.

In the Fifth District of Indiana three projects have been carefully planned to provide for the control of the floodwaters which have devastated our State periodically for years. These floodwaters have caused millions of dollars worth of damage. They have left people homeless. They have swept away our best top soil. They have caused the loss of life and have endangered hundreds of lives each year. Cities and other governmental units have struggled in vain to hold back these forces which nature has periodically unleashed against them. Now, with the construction of dams, they have an ally which will permit them to build, plan and feel secure in their attempts to bring progress to their communities.

The three dams planned for the Fifth District of Indiana are the Salamonie, Mississinewa, and Huntington Dams. Both the Salamonie and Mississinewa Dams are scheduled to have construction commence this fall or early next spring. This is dependent upon the inclusion of the funds earmarked for such construction being approved by this Congress.

I think it is advisable to point out what the construction of these projects will mean to my community. Of course, it will mean effective flood control which is of primary importance. But it will mean much more than this. The construction of the dams and reservoirs will bring millions of dollars into the Fifth District community. It will mean the employment of many men. The creation of the reservoirs will provide recreational benefits, the scope of which we have never experienced in our area.

The Mississinewa seasonal pool will cover 3,300 acres of ground. This is about the size of Lake Wawasee, Indiana's largest natural lake. The seasonal pool for the Salamonie Reservoir will cover approximately 2,700 acres and, if present plans should work out, the Huntington Reservoir would have a permanent pool of about 500 acres. The utilization of these reservoirs as recreation areas should be secondary to the real purpose of the dams, and that is, of course, to provide flood control. However, to fail to use the recreational potential to its fullest would be to deprive the public of a benefit which will be the natural consequence of the construction of the reservoirs.

These manmade lakes will provide fishing and boating facilities far beyond anything we presently have in Indiana. The shorelines will become a natural refuge for the wildlife which civilization is gradually causing to become extinct. These same shorelines will provide hunting grounds, picnicking areas and camping grounds for our ever-increasing population. It will become a sportman's paradise and the realization of the conservationist's dream.

Mr. Chairman, I cannot give strong enough emphasis to the need of these projects. I know of no domestic appropriation, other than those that deal directly with our national defense, which mean more to the people of Indiana and particularly to the people of the Fifth District than the appropriations included in this bill. The $53,000 included for the Huntington Reservoir will complete the planning of that project. The $500,000 included for the Mississinewa project will permit construction of the reservoir to commence. The $700,000 included for the Salamonie project will also permit the construction of that reservoir to start either this fall or early next spring.

When that first spadeful of dirt is turned, it will mean that the dream of many prominent Hoosiers will suddenly start to take the form of reality. Many of these men have for many years worked diligently and without easing on behalf of these projects. Time and time again some of them have made trips to Washington—at their own expense—to testify before our committees.

They are unselfish, dedicated men whose determination has made the need of these projects come to life and have such meaning that Congress is now acting. To enumerate all of these people would be impossible, but two men who have contributed so much to this effort deserve special mention. They are Ralph Roessler, of Marion, Ind., and Carlos Life, of Peru, Ind. It has been my good fortune to work with these men for the past 3 years and to have the benefit of their experience, their wisdom, and their counsel. There are no stronger advocates of flood control and the proper use and conservation of our water resources than these two men. The people of the Fifth District owe to them and their colleagues a real debt of gratitude.

In closing, Mr. Chairman, I want to emphasize that this is not the end of our effort to improve Indiana. It is only the beginning of the final phase of a long hard effort. There are many problems ahead. The completion of these projects at the earliest possible date is a must. This means the appropriation of sufficient funds each year to permit the capabilities of the engineers to be used to their fullest. This I urge. And while watching these projects take form, I respectfully request the cooperation of the membership of this House in our efforts to take every possible step to relieve all areas of the Fifth District of their flood problems, their drainage problems, their water problems, keeping in mind that we must protect and conserve our natural resources for the benefit of the generations which will follow us.

Mr. BENNETT of Florida. Mr. Chairman, I wish to express my gratitude to the Appropriations Committee for approving an item for $50,000 for study and planning of the Cross-Florida Barge Canal. Although I had hoped that the committee would approve the full budgeted amount of $195,000, I am grateful for what was allowed and I hope before the legislation becomes law it may be for the larger amount. In any event, I feel that we should bear in mind that this project is not only of value to our country because of its economic values but also and in fact primarily because of its defense values. There is in war times no other practical way to move petroleum economically from the western oil producing areas to the eastern consuming areas. This is of great vitality to our national defense and we should get on with the construction of this canal for this defense reason if none other.

The Clerk will read the bill for amendment.

The Clerk read as follows:

TITLE I—CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY

Cemeterial expenses

Salaries and Expenses

For necessary cemeterial expenses as authorized by law, including maintenance, operation, and improvement of national cemeteries, and purchase of headstones and markers for unmarked graves; purchase of four passenger motor vehicles, of which three shall be for replacement only; maintenance of that portion of Congressional Cemetery to which the United States has title, Confederate burial places under the jurisdiction of the Department of the Army, and graves used by the Army in commercial cemeteries; $10,440,000: *Provided*, That this appropriation shall not be used to repair more than a single approach road to any national cemetery: *Provided further*, That this appropriation shall not be obligated for construction of a superintendent's lodge or family quarters at a cost per unit in excess of $17,000, but such limitation may be increased by such additional amounts as may be required to provide office space, public comfort rooms, or space for the storage of Government property within the same structure: *Provided further*, That reimbursement shall be made to the applicable military appropriation for the pay and allowances of any military personnel performing services primarily for the purpose of this appropriation.

Mr. HOLIFIELD. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HOLIFIELD. 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 five Members are present, a quorum.

Mr. SAYLOR. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to have the attention of the gentleman from Ohio [Mr. KIRWAN] and the chairman of the full committee, the gentleman from Missouri [Mr. CANNON].

On page 34 of the report appears the following:

Pump-back storage units: The committee is convinced that there is considerable potential for enhancing the economics of some Bureau and Corps reservoir projects with the installation of pump-back storage units for generation of electric power. Up to $150,000 of the available funds under this appropriation are to be used to begin a survey of the potential of this type of development on reservoirs for which the Secretary of the Interior is the marketing agent for hydroelectric power, including those in the Southwestern Power Administration area.

I would like to know under what act of Congress the Committee on Appropriations included that $150,000 in this bill. It is my understanding that before any appropriation is to be included in this or any other bill there must be a legislative act to cover it, and I would like to find out what bill this is covered under.

Mr. EVINS. Mr. Chairman, if the gentleman will yield, the Flood Control Act of 1934, I will say to the gentleman.

Mr. SAYLOR. I would like to say to the gentleman that I do not know who the solicitor is for your committee, but he can look over the Flood Control Act of 1934 until he is blind and he will not find any authorization.

Mr. EVINS. The 1944 act.

Mr. SAYLOR. Or the 1944 act, and he will not find any authorization for this.

And in addition this is an authorization to the Secretary of Interior not the Army Engineers.

The reason that I would like to call your attention to it, it seems that Mr. Wright, who happens to be the Administrator of the Southwestern Power Administration, admits he has no authority for it; that there is absolutely no legislation for it. The Library of Congress can find no legislation for it. And, I might say that the chairman of the House Committee on Interior and Insular Affairs realizes that this is an important phase and should be covered. Consequently, the gentleman from Colorado arranged and we have had some preliminary hearings.

At the first hearing Mr. Wright, who has charge of this program in the Southwestern Power Administration, appeared before our committee, and I would like to read into the RECORD at this point a portion of his testimony:

Mr. Chairman, I would like to say, first, that I appreciate the chance to appear before this committee. I am probably the stinker that started this stuff over before the Appropriations Committee, and the reason I did so, it was the only committee of Congress I had an opportunity to talk to, and I asked them to listen to me enough to get some other committee of Congress with the proper authority to authorize the necessary studies.

Actually, we are in the position of the United States when they set off the atom bomb at Los Alamos. We set something off. We know we got it, but we do not know enough about it to know what we can do with it or what we dare do with it yet.

If there is no authorization for this bill the thing I would like to see—and the man who is in charge of it admits that his attorneys can find none, the lawyers for our committee say there is none——

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

Mr. SAYLOR. I yield.

Mr. EVINS. We have specific testimony from the Southwest Power Administration, also from the Bureau of Reclamation, as to the desirability and feasibility of this study. The gentleman is not opposed to a study, is he? This is a study; this is not a construction. We have many important studies authorized in the bill. This is just a study to get information. He would not be opposed to acquiring information, would he?

Mr. SAYLOR. It is still an appropriation in this bill without any legislative authorization. I am not opposed to a study, but that was the purpose for which our committee held hearings. We had people from the Bureau of Reclamation; we had Mr. Max Edwards, legislative counsel, Department of the Interior; accompanied by George W. Toman, engineer, Washington office, Bonneville Power Administration; Douglas Wright, Administrator, Southwestern Power Administration; Daniel McCarthy, Bureau of Reclamation. Maj. Gen. William F. Cassidy, Director of Civil Works, Corps of Engineers, Department of the Army, accompanied by Eugene W. Weber, chief, planning division. They all admitted that this was desirable, but they could find absolutely no law which would authorize it. If this is the case I would like to know where the Appropriations Committee finds this authority. If they do not have the authority then I certainly hope that this committee will not infringe upon the jurisdiction of the Interior Committee but will let them proceed with their study and authorize it, if found desirable.

The Clerk read as follows:

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by law; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but for studies shall not constitute a commitment of the Government to construction); $680,893,000, to remain available until expended: *Provided*, That no part of this appropriation shall be used for projects not authorized by law or which are authorized by law limiting the amount to be appropriated therefor, except as may be within the limits of the amount now or hereafter authorized to be appropriated: *Provided further*, That none of the funds appropriated for "Construction, General", in this Act shall be used on the project "Missouri River, Kansas City to mouth", for any purpose other than bank stabilization work: *Provided further*, That $550,000 of this appropriation shall be transferred to the United States Fish and Wildlife Service for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563–565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Department of the Army.

Mr. BECKER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BECKER: On page 4, line 13, strike out "$680,893,000" and insert in lieu thereof "$681,045,880".

Mr. BECKER. Mr. Chairman, this amendment and the sum included in the amendment, $152,880, is to reimburse the State of New York on a project known as Fire Island Inlet authorized by the Congress with moneys appropriated by the Congress. In the interim, from the time the Congress appropriated the money, there has been modification of this project that has now been concluded. The modifications were agreed to by the Corps of Engineers. However, to be perfectly frank with you, there is some dispute at the present time as to whether or not this was included in the original authorization of the project.

For your benefit and in support of this amendment I wish to read a letter addressed to me by the chairman of the House Committee on Public Works, the distinguished gentleman from New York [Mr. BUCKLEY]. This letter will give you a complete explanation in support of this amendment. It is dated September 9, 1961, and reads as follows:

COMMITTEE ON PUBLIC WORKS,
HOUSE OF REPRESENTATIVES, CONGRESS OF THE UNITED STATES,
Washington, D.C., September 9, 1961.

Hon. FRANK J. BECKER,
House of Representatives,
Washington, D.C.

DEAR COLLEAGUE: This is in answer to your request for clarification of the authorization of a certain part of the Federal project for beach erosion control at Fire Island Inlet, Long Island, N.Y. This project was included in an omnibus river and harbor bill reported by this committee and enacted as the River and Harbor Act of 1958 (Public Law 85–500). Extensive hearings were held on the project at which you and other Members of Congress, witnesses from the Corps of Engineers, the Long Island State Park Commission, and other local interests testified. The project, which is partly completed, is designed to check the serious erosion problem along the ocean side of Long Island in the vicinity of Fire Island Inlet, east of Jones Beach.

The project provides for the placement of sand at several locations on the north shore of Fire Island Inlet. Specific details of the exact locations and form of the placements were understood by the committee to be subject to modifications within the discretionary authority of the Chief of Engineers, since House Document 411, 84th Congress, the basic document referred to in the authorizing legislation, specifically stated that the plan was recommended "with such modifications as in the discretion of the Chief of Engineers may be advisable." In the several years between the studies which were made prior to authorization of the project and the time

that appropriations were made and construction undertaken, conditions progressively worsened in this area and, therefore, the Chief of Engineers made what can be considered to be minor engineering modifications in the specific plan as outlined in his report. One of the causes of the deterioration of the beach was the increased erosive action of the Federal navigation channel immediately offshore from Oak Beach. This, in turn, posed an ever-growing threat to the beach itself. The Chief of Engineers determined that it would be advisable to move this channel to the south and to close off the then existing channel by extending the placement of the authorized fill material at Oak Beach in the form of a sand groin or dike across the old channel. The contract for the project was let with sufficient fill material added to this particular portion to permit the Federal Government to construct this dike. Funds available for this stage of the prosecution of the project were not sufficient to carry the height of the dike to what appeared to be a desirable elevation and funds were therefore made available by the Long Island State Park Commission to assist in the work of raising the dike.

In this connection, your attention is invited to the first sentence in paragraph 2 of the report of the Chief of Engineers contained in the project document referred to previously. This is important because it indicates the intent of the Corps of Engineers in formulating the plan and the understanding of this committee in recommending its adoption.

"After full consideration of the report secured from the district and division engineers, the beach erosion board recommends that a project be adopted by the United States to restore and protect the shore from Oak Beach to Jones Inlet under a plan which provides for dredging the inlet shoal opposite the western part of Oak Beach to relieve the pressure of tidal currents against Oak Beach, to provide a deposition area for littoral drift, and to obtain fill material for the feeder beach and for Oak Beach."

It became apparent during the construction of the project that the relief of the pressure of tidal currents against Oak Beach, referred to in the sentence quoted above, could not be accomplished and the basic purpose of the plan could not be carried out unless the old channel was closed off by means of the sand dike referred to above. The minor change in plan with respect to the relocation of the navigation channel and the placement of the dike across the old channel are considered to be modifications well within the discretionary authority of the Chief of Engineers and eligible for the cost-sharing participation set up in the plan as approved by this committee and as passed by the Congress and signed into law. In fact, the lower portion of the dike has already been accepted as part of the authorized project and it would be unreasonable to exclude the upper portion.

The cost of raising the sand dike was $364,000, of which the Federal share of 42 percent under the terms of the authorized project would be $152,880. This is the amount which should be reimbursed to local interests.

Sincerely yours,

CHARLES A. BUCKLEY,
Chairman.

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

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

Mr. KEOGH. Mr. Chairman, I know of the great interest the gentleman from New York has displayed over the years in the preservation of the waterways on Long Island. I am sure he knows about the tremendous importance that preservation is to the millions of people in Brooklyn and in Queens. I hope the amendment offered by the gentleman is adopted.

Mr. BECKER. I appreciate the support of the gentleman from New York [Mr. KEOGH].

Mr. KIRWAN. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. BECKER].

The amendment was agreed to.

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

The CHAIRMAN. The Chair will count. [After counting.] Sixty-five 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. 195]

Addabbo	Garmatz	Nix
Arends	Gilbert	Norrell
Ashbrook	Glenn	O'Brien, N.Y.
Ashley	Hall	Philbin
Ayres	Halpern	Powell
Barrett	Harrison, Va.	Rabaut
Barry	Harsha	Rains
Bell	Healey	Rogers, Tex.
Betts	Hébert	Roosevelt
Brooks, La.	Holland	St. Germain
Brown	Holtzman	Schenck
Broyhill	Ichord, Mo.	Scherer
Buckley	Jones, Mo.	Shelley
Celler	Kearns	Sheppard
Clancy	Kee	Siler
Conte	Keith	Slack
Cooley	Kilburn	Staggers
Curtis, Mo.	Kyl	Steed
Dague	Landrum	Stephens
Davis, Tenn.	Latta	Thompson, La.
Devine	Machrowicz	Thompson, N.J.
Diggs	Martin, Nebr.	Thompson, Tex.
Dooley	Miller, Clem	Ullman
Fallon	Miller, N.Y.	Vinson
Farbstein	Minshall	Wallhauser
Fino	Morrison	Westland
Flynt	Moulder	Wilson, Ind.
Friedel	Multer	Young

Accordingly, the Committee rose; and the Speaker pro tempore having assumed the chair, Mr. BOGGS, 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. 9076, and finding itself without a quorum, he had directed the roll to be called, when 352 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.

Mr. RHODES of Arizona. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, much of the debate on this bill has been consumed with talk about the transmission lines of the upper Colorado River storage project. I think it behooves us to look at the economics of the proposition offered by the private utilities for the construction of the transmission system of the upper Colorado River storage project.

Mr. Chairman, the economic comparison of the all-Federal transmission system with the cost under the utilities' wheeling proposal must include all the costs and benefits under each of the competing systems.

Over a 50-year payout period, the wheeling costs are estimated to be $339 million. These wheeling costs cover all the utilities' charges for providing the additional transmission lines capacity and other facilities needed to deliver Colorado River storage project power to the preference customers. As the utilities now have or must provide transmission lines and other facilities for future load growth on their system, additional transmission capacity is now available and can or will be made available at a lower incremental cost than the cost of providing specific new all-Federal lines for preference customers service alone.

It is estimated that the all-Federal transmission system will cost at least $135 million more in Federal funds than would be the case under the wheeling proposal. Interest during construction would add $4 million to the Federal investment. Interest on the $139 million investment would, over a 50-year payout period, amount to $186 million. Operation and maintenance cost would be $103 million greater on the all-Federal system than under the utilities' wheeling proposal.

When electric power is transmitted from the point of generation to the consumer, there is a certain amount of power lost in the process. Using network system analyzers and electric computers, the relative losses on the all-Federal transmission system and under the wheeling proposal can be determined. Studies in this regard show the losses under the all-Federal system would be 48,000 kilowatts more than under the utilities' wheeling proposal. This loss in Federal revenues would amount to $55 million over a 50-year period.

The above Federal cost and revenue losses total $483 million or $144 million more than the wheeling costs, over the 50-year payout period.

In addition, Federal income taxes amounting to $61 million over the 50-year period would be foregone, as would $107 million in State and local taxes.

With the same unit charge for power, the net revenues under the wheeling proposal would provide for earlier repayment of the irrigation investments and would save the taxpayers an estimated $68 million in interest costs since such interest is not charged against the irrigation projects.

All told, the economic advantage of the utilities' proposal amounts to $380 million over a 50-year period; $273 million would benefit the Nation's taxpayers and $107 million would go to State and local treasuries for schools, roads, and so forth.

In addition to the economic advantage of the utilities' wheeling proposal over the all-Federal system, there is a Federal versus private power issue involved that transcends the economic advantage. There can be no question that the proponents of this all-Federal transmission system consider it but another link in the nationwide Federal power grid they want to have in order to socialize the entire electric utilities industry.

If we permit the socialization of the electric utilities industry, complete socialization of farming, retail business, and all industry cannot be far behind.

Mr. BONNER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, during the consideration of the public works appropriation bill of 1960, in the month of April 1959, the engineers proposed the closing of the Dismal Swamp Canal in North Carolina and Virginia, which is part of the original intercoastal canal from Maine to Florida.

The Dismal Swamp Canal is an historic waterway engineered by General Washington and opened for commerce in about 1800. The engineers then built a second diversionary route through Currituck Sound, North Carolina, and Virginia. The waterway through Currituck Sound, in North Carolina and the upper part in Virginia, is open and exposed.

In the ratio of credit given to commerce the engineers do not take into account yachts. The yachting people from Maine to Florida, and the States of Virginia and North Carolina were shocked in 1959 at this proposal. The Legislature of the Commonwealth of Virginia passed a resolution petitioning Congress to keep this part of the intercoastal waterway open. Likewise the General Assembly of North Carolina petitioned Congress, and yachting interests from the Great Lakes to the Gulf of Mexico sent letters, requests, and petitions, as is shown in the hearings that were conducted on April 27, 1959, to be found beginning at page 60 of the hearings at that time.

The House Appropriations Committee did not put the item in. Then we had a hearing, and interested Members of Congress, both the House and the Senate, and General Itschner heard it. So impressed was General Itschner that he made a personal visit to this waterway and came back and made the statement that had he known the conditions of the waterway and the utilization of it by private yachts which cost from $40,000 to $200,000 each, and their preference for using this waterway, he would never have recommended its closing.

An agreement was reached that certain funds for maintenance and operation could be used to carry it on. In the budget that came down this year there were budgeted funds for the operation of this branch of the intercoastal waterway through Virginia and North Carolina; and not only were there budgeted funds for operation, but funds were budgeted for its improvement. But in some manner or other in the effort to save money the House Appropriations Committee did not include these items in the present bill.

I have discussed the matter with members of the Appropriations Committee of the House and members of the Senate Appropriations Committee.

This branch of the canal transited in the present year 2,518 vessels. It is, as I said, the most secure and safe part because the other route goes out in the ocean and is dangerous for small vessels. In addition, this route passes one of the largest towns in eastern North Carolina, Elizabeth City, which has a number of shipyards.

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

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

There was no objection.

Mr. BONNER. Mr. Chairman, this canal passes Elizabeth City, N.C., where there is a very active shipyard. About 50 percent of its business is repairs on yachts and the wintering and storing of yachts going north and south. In this area there is a peculiar water known as juniper or cyprus water that is destructive to barnacles and nonproductive of barnacles. That is the reason the yachts are stored there. It is an artificial way of cleaning the bottoms and a way they do not accumulate others. Therefore, the maintenance and operation of this canal involves a payroll of $1,400,000 to this town and the general mercantile interests of the town.

I merely call the attention of the House to this matter so that if it is included by the Senate, and I hope it will be, with the record that was established in the hearings in 1959, this record and the extensive record with the resolutions from the yachting interests, together with resolutions of Virginia and North Carolina, it will be agreed to in conference.

There is an industrial development that is now proceeding along this water route. I hope it will be maintained. If it is not put in here, I hope the Senate will put it in, and I feel certain the Senate will include this item.

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

Mr. BONNER. I yield to the gentleman from Virginia.

Mr. HARDY. I am very much impressed with the necessity for funds for the maintenance of this canal, as the gentleman has so well pointed out.

Do I understand the gentleman is not going to offer an amendment to include this?

Mr. BONNER. I did not want to take up the time of the House. The committee has been very cooperative in the discussion of this matter. The committee fully realizes the proposition. I feel with the record the gentleman from Virginia [Mr. HARDY] and myself have built up here, and the record that we established in 1960, together with the personal examination of General Itschner at that time, with the statement if he had known he would not have recommended the closing of it, that this item will be included.

Mr. HARDY. I commend the gentleman for his position. I think it is very well taken. I have talked to members of the Appropriations Committee in the other body, and I am led to believe this item will be inserted over there. I hope it will. I hope the conferees will retain it in the bill when it comes back to the House. There is every reason in the world why this very picturesque, historic recreational area should be preserved; and, in addition to that, it is important from the standpoint of the waterborne commerce which it carries. It is a very important canal. General Itschner, as the gentleman pointed out, recognized the importance of it after we called it to his attention 2 years ago. I hope it will be included in this bill.

Mr. BONNER. General Itschner also made the statement that on account of the peculiar water that is used in the locks of this canal, there has been no corrosion and rusting or deterioration of the lock gates or the machinery in the locks whatsoever.

Mr. HARDY. I would like to suggest that all Members of the House would do well to visit this Dismal Canal.

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

Mr. BONNER. I yield to the gentleman from Virginia.

Mr. DOWNING. I would like to commend the gentleman from North Carolina for the excellent statement he has made. I am familiar with the Dismal Swamp, having lived in that area all of my life, and I can assure the House it has a great value, not only as a commercial proposition but it offers a safe passage for the boats that use this canal every year.

Mr. BONNER. It has a history and a great interest in this part of the waterway by those who use the intercoastal waterway by pleasure yachts.

Mr. DOWNING. And, again, the reason the ratio is low is that the engineers did not give credit for the employment and the materials that are used in pleasure yachts.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

GENERAL INVESTIGATIONS

For engineering and economic investigations of proposed Federal reclamation projects and studies of water conservation and development plans and activities preliminary to the reconstuction, rehabilitation and betterment, financal adjustment, or extension of existing projects, including not to exceed $350,000 for investigations of projects in Alaska, to remain available until expended, $6,523,000, of which $5,423,000 shall be derived from the reclamation fund and $500,000 shall be derived from the Colorado River development fund: *Provided*, That none of this appropriation shall be used for more than one-half of the cost of an investigation requested by a State, municipality, or other interest: *Provided further*, That $250,000 of this appropriation shall be transferred to the United States Fish and Wildlife Service for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563–565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Bureau of Reclamation.

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR, of Pennsylvania: Strike out the period, insert a colon and the following provision: "*Provided further*, That no part of the funds herein appropriated shall be available for conducting a survey of pump-back storage."

Mr. SAYLOR. Mr. Chairman, this is the matter that I spoke about some time ago.

If the committee would have this item of $150,000 as a separate project I would make a point of order against it.

Rule XXI (2) states:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress. Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as being germane to the subject matter of the bill shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by reduction of the amounts of money covered by the bill: *Provided*, That it shall be in order further to amend such bill upon the report of the committee or any joint commission authorized by law or the House Members of any such commission having jurisdiction of the subject matter of such amendment, which amendment being germane to the subject matter of the bill shall retrench expenditures.

Mr. Chairman, House Committee on Appropriations Report No. 1125, in describing the actions taken on the general investigations appropriations for the Bureau of Reclamation, the first appropriation in the Department of the Interior section of the bill H.R. 9076, states that—

Up to $150,000 of the available funds under this appropriation are to be used to begin a survey of the potential of this (pump-back storage unit) type of development on reservoirs for which the Secretary of the Interior is the marketing agent for hydroelectric power, including those in the Southwestern Power Administration area.

This item was inserted by the committee without a budget request. The appropriations made available to the Bureau of Reclamation under H.R. 9076 are for the purpose of carrying out its functions, and I quote, "as provided in the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto) and other acts applicable to the Bureau."

The general investigations appropriation is available only for engineering and economic investigations of proposed Federal reclamation projects and studies of water conservation and development plans and activities preliminary to the construction, rehabilitation, and betterment, financial adjustment, or extension of existing projects.

Now, Mr. Chairman, the dams and reservoirs for which the Southwestern Power Administration is the marketing agent for the Secretary of the Interior are Corps of Engineers projects and the authority of the Secretary for the marketing of such power has its origin in the Flood Control Act of 1944 and not in reclamation law. Appropriations available to the Bureau of Reclamation accordingly cannot be available for pump-back storage unit studies at Corps of Engineers dams in this area without amendments to basic law authorizing extension of Bureau of Reclamation responsibilities and authority. In view of this, the action of the Appropriation Committee in this respect clearly constitutes legislation in an appropriation bill because it authorizes expenditures not previously authorized by law. Furthermore, the operations of the Bureau of Reclamation have historically for the 60 years since its creation been limited to not more than the 17 Western States, Alaska and Hawaii.

Acceptance of the committee's action would constitute a major departure from this tradition without consideration by the substantive committees responsible for recommendations for such an activity. In fact, there are now pending before the House Committee on Interior and Insular Affairs two bills, H.R. 4809 and H.R. 4843, which would give the Secretary of the Interior authority to conduct such studies. Hearings on these bills were held on August 21, 1961, by the House Subcommittee on Irrigation and Reclamation of the House Committee on Interior and Insular Affairs. The chairman of the full committee pointed out at this hearing that the Bureau of Reclamation operations are dependent primarily upon irrigation matters and that when it gets into pump storage it is getting into an area of new policy—even in the reclamation States. In response to a direct question from a member of the subcommittee to the legislative counsel of the Department of the Interior, "You also did not have any authorization, did you?" the legislative counsel answered, "That is right." Also in the hearings before the Subcommittee on Irrigation and Reclamation on H.R. 4809 and H.R. 4843 the Administrator of the Southwestern Power Administration said:

I am probably the stinker that started this stuff over before the Appropriations Committee and the reason I did so, it was the only committee of Congress I had an opportunity to talk to, and I asked them to listen to me enough to get some other committee with the proper authority to authorize the necessary studies.

Even the Administrator of the Southwestern Power Administration states that there exists no legal authority to make the study.

It is obvious from the testimony presented at this hearing that there is no legislative authority for these studies, particularly if they are to be conducted by the Bureau of Reclamation.

However, I hope that my amendment will be adopted and that this $150,000 will not be spent until there is legislation authorizing the study.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

UPPER COLORADO RIVER BASIN FUND

For the Upper Colorado River Storage Project, as authorized by the Act of April 11, 1956 (43 U.S.C. 620d), to remain available until expended, $55,468,000 of which $53,268,000 shall be available for the "Upper Colorado River Basin Fund" authorized by section 5 of said Act of April 11, 1956, and $2,200,000 shall be available for construction of recreational and fish and wildlife facilities authorized by section 8 thereof, and may be expended by bureaus of the Department through or in cooperation with State or other Federal agencies, and advances to such Federal agencies are hereby authorized: *Provided*, That no part of the funds herein appropriated shall be available for construction or operation of facilities to prevent waters of Lake Powell from entering any national monument.

Mr. JENSEN. Mr. Chairman, I offer an amendment:

The Clerk read as follows:

Amendment offered by Mr. JENSEN of Iowa: Page 11, line 13, strike out "$55,468,000" and insert "$51,243,000"; on page 11, line 14, strike out "$53,268,000" and insert "$49,043,000"; and on page 11, line 24, strike out the period, insert a colon and the following proviso: "*Provided further*, That no part of the funds herein appropriated shall be available for constructing the following transmission lines and facilities:

"Vernal-Provo No. 1 transmission line and substation 138 kilovolts;

"Craig-Sinclair transmission line and substation 115 kilovolts;

"Glen Canyon-Sigurd-St. George transmission lines and substations 138 kilovolts;

"Glen Canyon-Phoenix transmission lines and substations 230 kilovolts (double circuit);

"Four Corners-Albuquerque transmission line and substation 230 kilovolts (double circuit);

"Curecanti-Rangely transmission line 230 kilovolts;

"And the Gunnison-Midway section of the Curecanti-Midway transmission lines and substation."

Mr. JENSEN. Mr. Chairman, this amendment seeks to strike out the transmission lines, the names of which the Clerk has just read. There will still remain in the bill, if my amendment is adopted, about 35 percent of the transmission lines that are requested in the bill along with all the related facilities which are necessary to construct the necessary lines and everything that is required for a workable machine, so to speak, for delivering this electric power. As I said early in the debate, the Congress has for years honored the yardstick which the committee has used for the past 10 years in appropriating money for such transmission lines. That yardstick, as I explained before, was simply this: that where private utilities and/or REA's and/or municipalities have already adequate facilities or will build such facilities and will wheel power at reasonable rates to preference customers and others, then the Congress is not justified in appropriating money for such facilities. It is that yardstick which I am attempting to defend by my amendment.

Let us not forget that the private utilities of America pay in Federal taxes each year over $1 billion into your U.S. Treasury. They also pay local and State taxes, over $1 billion, which is used for all the needs of the local governments and States. I have opposed every bill all during my congressional career which strikes at our free enterprise system from the peanut vendor on the corner to the farmer, to the largest, honest company in America. And may I say, if that be un-American, I pray God to forgive me, and a great majority of the thinking American people who I am sure I speak for now.

A number of years ago—to be exact, on March 4, 1959—I made a speech on the floor of this House titled "The Power To Not Tax Is Also the Power To Destroy."

I gathered information and material for that speech over a period of 15 years. Every statement I made in that hour-long speech is documented. I named names of those who recommended the very thing that the Fabian Socialists of England recommended and put into effect when they got into power there.

I shall never forget the day when our committee, about 12 years ago, ordered Mr. Stephen Raushenbush before us. Stephen Raushenbush had written a book about 25 years ago which recommended the socialization of America. That book was a complete takeoff of the Fabian Socialist blueprint. He recommended that the Federal Government should take over first of all the private utilities in America, next, all the banks in America, next all the communications in America, and next all the farms in America. You can get the book. It is in the Congressional Library. I do not mind telling you that he did not stay in the Interior Department long after that, but he did wind up a year or so afterward as secretary of the President's Natural Resources Committee. He had been the program director of the Department of the Interior for years. A very good place to advocate his socialistic schemes. Ike fired him quick early in 1953.

You think we have not had a problem to keep this country from getting into the hands of people like that? We will lose our free enterprise system if a lot of the Members of Congress keep on pounding the kind of people that made America great, the people that by the sweat of their brow and by their honest works, your forebears and mine, labored and builded here the free private enterprise system which today is suffering every sort of abuse and criticism that can be piled on their backs including higher and higher taxes because of the spending spree over almost all of the last three decades. What will the harvest be? You know.

Mr. KIRWAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in 1946 Harry Truman was President of the United States. Oscar Chapman, his Secretary of the Interior, gave him the plan for the Upper Colorado River Basin. They asked for too much in their request and the legislative committee cut it down. Then came Dwight Eisenhower and Douglas McKay, who was his Secretary of the Interior. They agreed on the plan that is in front of you today. Then Fred Seaton came into the picture and he agreed with the plan. They all agreed the basic purpose of the act is to provide irrigation assistance. That is why the lines must be built, to put people on farms where they can make money to pay taxes and have a good living. The Federal Government is spending over $600 million under either system. The question is, who pays the $84 million for certain backbone transmission lines? If the private utilities build these lines they will charge $593 million over 86 years and the Government will have $273 million less revenue for irrigation assistance.

The question is whether the Federal Government is eventually going to own the house or is going to pay rent forever. If buying and owning a home was ever good business, it is in this case. The Government is paying for most of the house anyway. It is paying over $600 million. Why should the Government let the private utilities finish the house with an investment of only $84 million, and then charge the Government $593 million in rent for the use of the house? Under this, the Government would lose $273 million in revenues for irrigation assistance. The reason for building this project is not to provide assistance to the utilities, and I ask that this amendment be voted down.

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

Mr. KIRWAN. I yield to the gentleman from Colorado.

Mr. ASPINALL. I wish to join the gentleman from Ohio in his opposition to this amendment. The upper Colorado River project was a very closely studied project. Not only its economic feasibility but its financial feasibility depends upon the project as it was originally proposed and originally authorized and as it is being constructed at the present time. The gentleman from Ohio [Mr. KIRWAN] is absolutely correct when he says that the amendment that has been proposed is likely to destroy the very thing that makes possible the participating irrigation projects which will serve the people of the area as they should be served and at the same time render their contributions to the national economy and welfare.

Mr. Chairman, I ask unanimous consent to extend my remarks and place in the RECORD at this point a rather lengthy statement I have made, but which in the interest of the time of the Commitee I do not want to give orally.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ASPINALL. Mr. Chairman, I am in strong opposition to the amendment proposed by the gentleman from Iowa [Mr. JENSEN]. I have taken this time to speak in support of the proposition which is specifically set forth in Public Law 485, 84th Congress, that—

> The Secretary of the Interior is hereby authorized to construct, operate, and maintain the following initial units of the Colorado River storage project, consisting of dams, reservoirs, powerplants, transmission facilities, and appurtenant works.

Further, as stated in section 7 of said law:

> The hydroelectric powerplants and transmission lines authorized by this act to be constructed, operated, and maintained by the Secretary shall be operated in conjunction with other Federal powerplants, present and potential, so as to produce the greatest practicable amount of power and energy that can be sold at firm power and energy rates.

Mr. Chairman, the Colorado River storage project is the largest single reclamation project ever authorized by the Federal Government. That means, of course, that it is the largest reclamation project ever authorized by one piece of legislation in the history of the world. It is primarily and basically an irrigation project. The production and marketing of power, although most necessary to the success of the project, together with the supplying of municipal water, the development of recreational values and other benefits, are secondary and incidental to the primary purpose of the legislation. The construction and operation of this great program with its interrelated development and coordination with similar facilities in the lower basin of the Colorado River and in the Missouri Basin will provide for the maximum contribution of this vast area to the welfare and security of our Nation.

The support and sponsorship of this greatest of all reclamation projects has been entirely bipartisan—or nonpartisan, if you wish to state it thus—from the very beginning. It has been studied, surveyed, sponsored, and supported by representatives of every Federal administration since the 1920's. The first preliminary report was made and released under President Truman's administration through the Office of former Secretary of the Interior, Oscar Chapman. The succeeding administration, under President Dwight Eisenhower, through the Offices of the two former Secretaries of the Interior, Douglas McKay and Fred Seaton, supported it right from the beginning of such administration and followed it through to its final successful authorization.

Here, in Congress, its effective support has also been entirely bipartisan. The legislation, as presented, was on a bipartisan basis. I believe my colleagues will be interested in a few statistics at this point. The authorizing bill passed the House of Representatives on the 1st day of March 1956, by a vote of 256 to 136. The "yea" vote consisted of 138 Democrat votes and 118 Republican votes. The "nay" consisted of 62 Democrat votes and 74 Republican votes. This shows that the report as well as the opposition was completely bipartisan. Of the 138 Democrats who supported the measure, 110 of them are presently Members of the House. Of the 118 Republicans who supported the measure, 52 of them are presently Members of the House. I am most pleased to find such a large number of the supporters of the program still Members of this great forum.

Now, just what is the controversy that is presently before us? It is my sincere hope that in a brief and concise statement I shall be able to present to you, my colleagues, my understanding of the problem. Please keep in mind that I am somewhat prejudiced in the matter but may I say to you, my colleagues and friends of many years, and those of more recent months, I sincerely trust that my prejudice—whatever it may be—goes only to what I consider to be necessary to make this great project one of the outstanding successes of reclamation, conforming in all particulars with policies and guidelines laid down by Congress for reclamation programs. I was one of the sponsors of the House legislation to authorize the Colorado River storage project, and I put all of the energy and talent which I possess in supporting the passage of the act, but in doing so, I can say to all, without any

fear of successful contradiction, that the act itself is one of the more conservative reclamation authorizations of the last three decades and that it conforms to policies enunciated by Congress itself for such programs.

The most important new policy established in the Colorado River Storage Project Act was the authorization for and the establishment of a basin fund into which all appropriations from the Federal Treasury and all revenues, including payments from users, revenues from power generation, and so forth, are to be paid; and from which basin fund all moneys owed to the Federal Government—for construction costs advanced, as well as all other expenses of the project—are to be expended. If and when—and may I call your particular attention to this part of my statement—if and when there are any net revenues (that is revenues not needed to pay the operation and maintenance costs, the power and municipal water costs with interest, and the irrigation costs of the storage units) such net revenues shall be available for and will be used to pay those costs of construction of the participating projects which the users of such participating projects are unable to pay. Hereinbefore I stated that this is in fact an irrigation project. It is these participating projects that make it so. Without them there would be no project. Eleven of such projects have been authorized for construction by the original act, and some 24 others are authorized for planning. It is hoped that in the decades ahead that the majority of those authorized for planning will be authorized for construction. All other facilities, that is other than the participating projects, were intended to be, and must continue to be, subordinate to this particular use which is "irrigation." Without the smaller dams and the attendant reservoirs in the upper reaches of the tributaries of the Colorado River this program would be unnecessary and of little value to the area served. That is especially so in Colorado where over 70 percent of the water of the Colorado River rises.

Now, what is needed to make the participating project program successful? The answer is obvious to anyone—it is to put just as much net revenue in the basin fund as it is possible to obtain under the provisions of the act and the operation of the facilities authorized therein. The Federal Treasury must be repaid and the smaller reservoirs must be constructed, otherwise the objective is missed and the project is doomed to failure.

My position, therefore, is one easy of understanding, and I trust equally easy of explanation. I want just as many dollars in the basin fund as can be placed there within the provisions of the law itself. In my thinking and in my understanding of what is involved, this matter now before us should not be a controversy between, or generated by, advocates and supporters of public power and of private power. There is room for the business of each in this great project undertaking. Neither should be placed at the mercy of the other. Neither should ask for the advantages it would not grant if it were in the position of the other. All too often we find these battlelines drawn by the overzealous advocates of these two opposing views. As I have said before, in this particular instance there is plenty of room for each to serve under existing law and policy.

Please keep in mind that what I am seeking is the maximum flow of dollars into the basin fund on which the economic and financial success of this project depends.

As I go now to the next step in my presentation, let me advise my colleagues that I shall not attempt to confuse you with a lot of figures and details. There has been, in my opinion, all too many charges and countercharges made by the zealots of each side. The air is completely filled with fallout that confuses even the best qualified experts on these matters. Largely, the differences arise because of the objective sought or the initial assumptions made. I take no prejudiced issue with either side. I just want as many dollars in the basin fund as can be provided under the authorizing law and the operation of the facilities authorized therein. I want this project to do what it was intended to do when it was authorized.

Please permit me to go now to what I consider to be the crux of the present issue. In the beginning of my statement I quoted the statutory provisions governing the Federal Government's responsibility in the construction and operation of transmission lines. Let me quote one of those passages again:

> The hydroelectric powerplants and transmission lines authorized by this act to be constructed, operated, and maintained by the Secretary shall be operated in conjunction with other Federal powerplants, present and potential, so as to produce the greatest practicable amount of power and energy that can be sold at firm power and energy rates.

This means, of course, that the Secretary of the Interior is authorized and directed to construct and operate certain transmission facilities. What facilities? To put it very plainly, the answer is those transmission facilities which will insure the success of the project. This means, as I understand it, those facilities which will permit the Secretary of the Interior to coordinate and correlate all of the facilities of the project for its overall success. This means the generation of power to produce "the greatest practical amount of power and energy that can be sold at firm power and energy rates." This means, if my thinking is clear, that the Secretary is charged with the responsibility of producing the power and getting it to the consumer. He must not be at the mercy of any party in between. If it is to the advantage of the project that he construct basic transmission lines to the load centers, then he is directed to do so. If it is to the advantage of the project—and, mark you, I emphasize the word "project"—in situations which may not be specifically to the advantage of the power consumers or any other party or parties, to enter into agreements with private or public utilities to "wheel" power to the customers, then he should enter into such agreements. But, within the authority and responsibility granted by the authorizing act, this decision is left to the Secretary.

What are the other guidelines? They are to be found in the established policies of the Congress set out in the reclamation laws and in House Report No. 1087, 84th Congress, on H.R. 3383, the House bill authorizing the Colorado River storage project. There is not one word concerning this matter in Senate Report No. 128 accompanying Senate action on S. 500, the Senate bill authorizing the Colorado River storage project. Neither is there any mention of the matter in part 2 of House Report No. 1087 which was a supplemental report on H.R. 3383, nor in the conference report accompanying S. 500 and designated as House Report No. 1950, 84th Congress, 2d session.

Under these circumstances, I feel, therefore, that it is safe to assume—and I was the sponsor of the House bill and a member of the conference committee—that all concerned were of the understanding that the matter was thoroughly covered in the provisions of the legislation itself and the references to this particular matter in the House report.

Let us see what the House report provided. It reads as follows:

> PROPOSAL OF THE PRIVATE POWER COMPANIES
>
> The committee finds that this project is unique in that there is no public versus private power controversy involved. Representatives of the 10 private power companies operating in the area presented testimony before the committee indicating their desire to cooperate with the Federal Government in the transmission and marketing of electric power and energy from the Colorado River storage project. Their proposal provides essentially that the Secretary construct the backbone transmission lines connecting major powerplants of the project and that use be made of the existing systems of the companies and additions thereto to market the power. The companies assured the committee of their willingness to serve preference customers either through wheeling or through resales with appropriate safeguards to protect the rights and interests of the preference customers, and of the desire of the private utilities of the area to purchase power in excess of that taken by preference customers.
>
> The proposal by the power companies seemed entirely reasonable to the committee. The proposal is consistent with the policy expressed by the Congress for many years in appropriation acts and elsewhere whereby the Federal Government builds the basic backbone transmission system and distribution is made through existing systems where satisfactory arrangements can be worked out. The procedure proposed is similar to that which has worked very satisfactorily for the Ceneral Valley project.
>
> The Department of the Interior advised the committee that it was sympathetic to the private power companies' proposal and indicated that the suggestions would be given studied consideration if the project were authorized. Therefore, the committee expects the proposal by the private power companies for cooperation in the development to be carefully considered by the Department of the Interior and the electric power and energy of the project to be marketed, so far as possible, through the facilities of the electric utilities operating in the area,

provided, of course, that the power preference laws are complied with and project repayment and consumer power rates are not adversely affected.

The reference, in this language, to general policy must first be examined, and here I must reemphasize by quoting once again the pertinent part:

The proposal is consistent with the policy expressed by the Congress for many years in appropriation acts and elsewhere whereby the Federal Government builds the basic backbone transmission system and distribution is made through existing systems where satisfactory arrangements can be worked out.

I have reviewed the record of congressional actions regarding Federal construction of transmission facilities and reach the conclusion that the Congress has historically favored construction of backbone transmission lines to interconnect powerplants constructed by Federal agencies and to deliver power to load centers. The authority for construction of transmission lines exists under general reclamation law as well as in specific project acts and, pursuant to this authority, many cooperative arrangements with private utilities have been worked out.

One congressional expression on this matter is found in section 5 of the Flood Control Act of 1944 which reads as follows:

The Secretary of the Interior is authorized, from funds to be appropriated by the Congress, to construct or acquire, by purchase or other agreement, only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

This is exactly what this committee had in mind for the Colorado River storage project—that is, that the Federal Government construct only transmission lines to make power available in wholesale quantities to facilities owned by the Federal Government and to preference customers provided satisfactory arrangements for distribution beyond load centers could be worked out.

In implementing the policy expressions of the Congress on the marketing of electric energy, the Department of the Interior has generally followed the following criteria with respect to arrangements for the delivery of power produced at Federal hydroelectric projects:

First, private utilities have ample surplus transmission capacity or are willing to construct transmission lines for that purpose.

Second, private utilities are willing to furnish such service to the Department at a reasonable price.

Third, such arrangements will enable the Department to render acceptable power service to customers having preference, under existing law, in the purchase of federally produced power.

The committee also had these principles in mind in connection with the language in its report.

There has been reference to the Keating amendment which has appeared in all recent public works appropriation acts and reads as follows:

"Provided, That no part of this appropriation shall be used to initiate the construction of transmission facilities within those areas covered by power wheeling service contracts which include provision for service to Federal establishments and preferred customers, except those transmission facilities for which construction funds have been heretofore appropriated, those facilities which are necessary to carry out the terms of such contracts or those facilities for which the Secretary of the Interior finds the wheeling agency is unable or unwilling to provide for the integration of Federal projects or for service to a Federal establishment or preferred customer.

This language is applicable only in those areas covered by existing wheeling arrangements.

Having examined general congressional policy with respect to the construction of transmission lines and the marketing of electric power and energy to which reference is made in the House report, then what additional requirements must be taken into consideration? Such requirements, relating specifically to the Colorado River storage project, are to be found in the last sentence of that portion of the House report relating to the subject. Once again for the purpose of reemphasizing, I requote:

Therefore, the committee expects the proposal by the private power companies for cooperation in the development to be carefully considered by the Department of the Interior and the electric power and energy of the project to be marketed, so far as possible, through the facilities of the electric utilities operating in the area, provided, of course, that the power preference laws are complied with and project repayment and consumer power rates are not adversely affected.

The important direction here, of course, is "that the power preference laws are complied with and project repayment and consumer power rates are not adversely affected."

This means not only that the basin fund must not be violated but that all revenues possible must flow into it, thus providing for project repayment. To me, as I have stated before, this is the issue.

As soon as it seemed appropriate for them to do so following project authorization, the representatives of the private utilities requested the Bureau of Reclamation to provide them with the plan to be followed in the construction of the transmission lines for the project so that they could submit their proposal for participation in the construction of the required transmission system. Two important matters must be borne in mind at this point of our discussion. The first is that whoever controls the main operation of an electrical transmission system is in position to receive large values which are difficult of exact measurement but recognized by all experts in this field. These values which result from flexibility in operation mean dollars and cents to the controlling party. This is particularly true because of the vagaries of electrical power generation and transmission. From the standpoint of the Federal Government such control of the storage project transmission system and its interconnection with other existing Federal systems will tremendously enhance its value to the project and will add flexibility which will permit better utilization of the public investment in the overall development of our water resources.

The second matter that must be borne in mind is that it is impossible to set forth a definite and final plan for any transmission system until the time immediately preceding construction because power demands and locations of load centers are so difficult of ascertainment. Accordingly, I do not believe that we should be unduly bothered by the charge of the representatives of the private utilities that the plans have been somewhat modified since the first plan was offered to them. Neither should we be bothered unnecessarily because of the changing requests of the preferred customers. These matters just do not lend themselves to a fixed and final decision and do not appear to be of major importance in examining the merits of the private utilities' proposal.

Having all these matters brought to my attention with the related contentions and charges, and not being an expert in such matters myself, and further, after having several conferences with representatives of each interested group, I proceeded to ask for advice from as qualified and expert a source as I could find, a source that I considered to be not prejudiced in favor of either private utilities or preferred customers groups—his only interest in the final outcome being its effect upon the future development of Colorado's water resources. I requested help from the engineer of the Colorado Water Conservation Board which is the policymaking administrative agency for all water resources matters in Colorado and which serves under the direction of the Governor. Colorado's particular interest in this matter is that the State of Colorado, by the provisions of the Colorado River Storage Project Act, is entitled to receive benefits from the basin fund in the amount of 46 percent of all of the net revenues therein. Colorado's share of the revenues in the basin fund is to be used to help pay for the construction of any participating project authorized by Congress to be built within the State of Colorado. These are the benefits to the State which contributes over 70 percent of the water to the Colorado River.

In his analysis, my consultant worked from the June 1, 1961, report evaluating the wheeling proposals of the private utilities and prepared by them. He used the utilities' own figures and computations where they disagreed with the Bureau's interpretation of their offer. In his report to me, he advises that, even using the utilities' own figures, his analysis shows that all-Federal construction of the basic transmission system, and here I refer to what is known as the necessary backbone system in such a project, is in the best interest of the project users and the States of the Upper Colorado River Basin.

On the basis of his study, the dollar amounts which would be received as net

revenues in the basin fund and available for development of participating projects during the period from the time the power goes on the line to 2049 would be about $117 million more under an all-Federal transmission system than under the private utilities' proposal and the financial advantage of the all-Federal system after the year 2049 would be about $4.8 million per year. Again, I point out that this is based upon using the utilities' figures. The Bureau's study comparing the utilities' proposal with the so-called modified system, shows a difference in favor of an all-Federal system of $274 million over the same period. The financial advantage to the all-Federal system is due primarily to the fact that the Federal transmission grid is paid out in 44 years with interest with revenues thereafter available to assist in the repayment of participating projects, whereas the rent or wheeling charges paid under the proposal of the private utilities goes on in perpetuity.

What this means with respect to development of the water resources of the Upper Colorado River Basin is that either such development would be delayed under the utilities' proposal or the power rates would have to be increased above 6 mills because the Colorado River Storage Project Act requires that there must be net revenues in the basin fund to repay the cost of each participating project in 50 years following its construction and development period. This was the finding of both former Secretary of the Interior Fred A. Seaton and the present Secretary, Stewart L. Udall, and the basis upon which they both disapproved the private utilities' proposal.

My friends, I have spent a lot of time studying this matter and I have tried to be completely fair in attempting to justify acceptance of the private utilities' proposal. However, I can arrive at only one conclusion. Federal construction of the backbone transmission lines to interconnect Federal powerplants and systems is necessary for maximum development and use of the water resources of the Upper Colorado River Basin.

I hope that the funds will be retained in this bill to keep the transmission system construction on schedule so there will be no delays in the marketing of power and energy when it becomes available. Such delays could result in extensive revenue losses to the Federal Government.

Remember, my friends, the deletion of funds from this bill for the transmission lines in question is not a decision as to who builds the lines. The Secretary of the Interior has been given certain authority and responsibility under the Colorado River Storage Project Act and he cannot enter into a contract with the private utilities unless he determines that such contract is consistent with such authority and responsibility. In my opinion, he cannot make such a determination with respect to the present proposal of the private utilities for wheeling power and energy of the Colorado River storage project. Having given the Secretary of the Interior the statutory responsibility for determining what part of the electric transmission system must be constructed by the Federal Government in order to retain the necessary operating control and provide maximum development of the water resources of the basin, it would seem extremely unwise for the Congress to now prevent, by its refusal to provide funds, the implementation of such determination by not one but by two Secretaries of the Interior.

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

Mr. KIRWAN. I yield to the gentleman from Massachusetts.

Mr. BOLAND. I wish to direct a question to the gentleman from Colorado. The gentleman from Colorado is a knowledgeable gentleman in this area. He is a recognized expert on reclamation projects and is chairman of the legislative Committee on Interior and Insular Affairs. I would like to propound this question to him. Does the gentleman know of any other Bureau of Reclamation project where we have power where the Bureau of Reclamation has not built the backbone transmission line?

Mr. ASPINALL. If the gentleman from Ohio will yield to me, I will be glad to answer that question. Every multiple-purpose project authorized by the Congress, where power has been provided, has also been given the authority and the direction to provide the proper transmission facilities to the load centers.

Mr. BOLAND. And that is precisely what we are doing by this bill today.

Mr. ASPINALL. The gentleman is correct.

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

Mr. KIRWAN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I commend the able gentleman from Ohio for the splendid presentation he has made on this point. I wish to commend the committee for the fine bill they have brought forth. I hope the bill can be adopted without any change or amendment.

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

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

Mr. ROONEY. Mr. Chairman, I should like to join in commendation of the distinguished gentleman from Ohio [Mr. KIRWAN]. I supported the gentleman from Ohio and the gentleman from Missouri [Mr. CANNON] in the subcommittee as well as in the full committee, and I support them in their opposition to this pending amendment today. I think this issue is very, very important and one that should be decided decisively once and for all.

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

Mr. KIRWAN. I yield to the gentleman from Iowa.

Mr. JENSEN. I am sure the gentleman from Ohio does not want the statement to stand unchallenged when he said that we have built all the backbone lines or intimated that the Government built all of them. The facts are that the line proposed in this bill runs out into the hinterland no end. They are not just tying ends together as you and I, may I say to my colleague from Ohio, have always insisted on doing. We did not run transmission lines in the Missouri Valley out into the hinterland. We stopped them at the load center and said to the people, "Come there and get your groceries." No; we have done it all over this country.

Mr. KIRWAN. The lines in question only go to main load centers and intertie other Federal powerplants. They do not go into the hinterlands. I believe this is one of the best things that has ever come before the Congress of the United States and the proposed amendment to delete these lines should be defeated.

Mr. HOSMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to at this point ask a question of the gentleman from Colorado, chairman of the Committee on Interior and Insular Affairs. The question is this: Is it not a fact that during the long and tortuous trail of the upper Colorado project through this Congress its financial feasibility was calculated upon selling power for 6 mills at the bus bar?

Mr. ASPINALL. Mr. Chairman, if the gentleman will yield, that was the essence of the hearings which we had, and it is the foundation upon which the Bureau of Reclamation is presently operating. And, it is also the understanding of the gentleman from Colorado, after being in conference with several experts on this matter, that what the five investor-owned utilities propose will cost the consumers 6.57 mills per kilowatt-hour, I believe it is.

Mr. HOSMER. Well, I am not particularly interested in how much it is going to cost the consumers in this five-State area that are getting this power at an already reduced rate. I am interested in what it will cost the taxpayers of the United States to generate and wheel that power.

Now I am going to ask the gentleman from Colorado another question. Will he tell us which end of the transmission line the bus bars are on? And by that I mean are they at the generating facilities end or are they down at the using facilities end?

Mr. ASPINALL. As the gentleman from Colorado understands this particular project, the points to be served by the transmission lines will be known from the generating plants to the load centers, wherever they may be. There has been an indication that there will be 15 of them; others have asked for 24. The gentleman from Colorado doubts that there is any necessity for all 24, but that is a determination that cannot be made until there is proper study and final decisions. What is requested, so far as this project is concerned, are necessary transmission lines to go to the load centers that are already recognized or will be determined before construction is started.

May I add one further thing. The construction by the Federal Government

of these transmission lines is not going to cost the Federal Government one cent. The Federal Government will be repaid in full with interest.

Mr. HOSMER. Well, I do not yield further to the gentleman from Colorado for a statement like that, because there are several hundred millions of dollars involved, or at least well over $100 million involved, and I think the gentleman has made my point. We have heard all afternoon these fairly tales about how this project is not going to be financed feasibly unless we come in and build these lines with public money, and yet in all the years that this project was being pleaded for through this Congress, every single argument made by everybody on that side or on this side of the aisle was that the feasibility of the project was based on 6-mill power at the bus bar, which is in the generating end of the transmission line. And, as a consequence, I think it ill behoves anybody to stand in the well of this House and tell us now that you have to have public-owned transmission lines at a tremendous cost to the U.S. taxpayers in order to bail out these projects financially.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. Actually, is it not a fact that the proposal of the utilities to wheel the power to the load centers at 6.57 is a much better proposition than the Committee on Interior and Insular Affairs had before it before the upper Colorado River project was authorized?

Mr. HOSMER. I am glad the gentleman made the point.

Mr. Chairman, I yield back the balance of my time.

Mr. TABER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, it is clear to me that the only support for this provision and for this transmission line is that it is a camouflage. We have heard the story here that Wall Street was going to control it. We all know that the only people who can control it are the folks back home who use the power; and they can be made to pay for the use of the power only what is a fair price, everything considered. Wall Street has nothing more to do with it than a babe in arms.

If we intend to do this job in an unbusinesslike way we will turn down the amendment offered by the gentleman from Iowa [Mr. JENSEN], because that would mean that these fellows who are running these big power lines would have their own way.

I ran across one thing that made me absolutely certain that we ought not to put any of this powerline in certain hands, a man named Diefendorf, of New York City, representative of the Webb & Knapp Co., a very active real estate outfit. They control a lot of other setups. There is an outfit known as the Gulf State Land & Industries, and the people who want to build this powerline have made a contract with the Gulf State outfit to supply them with a steel mill up in Anaconda, Mont.

How are we going to have any intelligent administration or any practical business handling of such a proposition if we are silly enough to allow a fellow like that to go out and make a contract with a proposed steel company which does not exist as far as having any field plant goes, at a rate which would induce an outfit to put in a powerline running a long distance, from Anaconda down to where the power is produced on the river below. If we are going to do that we are showing very poor business judgment indeed.

I hope the amendment will be adopted.

Mr. CANNON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as has been said, the provision in the pending bill for Federal conservation of water power is but a part of the national program initiated by Theodore Roosevelt and fostered by every President from his day down to this time.

It was especially endorsed and supported by President Eisenhower and all members of his Cabinet.

Under this administration it has been particularly stressed by President Kennedy and all associated members of his administration.

In corroboration of this may I read a statement by President Kennedy, made this morning and just received from the White House:

STATEMENT BY JOHN F. KENNEDY, ON TRANSMISSION LINE PROVISIONS, PUBLIC WORKS APPROPRIATION ACT OF 1961

I approve wholeheartedly the action of the House Appropriations Committee last week in approving funds requested by the administration to construct Federal backbone transmission lines to market power generated at the upper Colorado project and the Trinity project in California. In order to insure that the Federal investment in these projects will benefit the general public and insure that the generated power will be delivered to points where both public and private agencies are able realistically to purchase and distribute this power, Federal transmission lines are necessary. The breadth of the support for this principle is evidenced by the strong congressional action in authorizing the upper Colorado transmission system of 1956, by the recommendation of the Eisenhower administration in January of this year, and by the vigorous advocacy of the same concept by this administration through the Secretary of the Interior.

I believe this project to be fundamental to a sound power policy and sincerely hope the Congress will approve the appropriations items recommended by the House Appropriations Committee.

Mr. KIRWAN. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close at 5 o'clock.

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

There was no objection.

Mr. BRUCE. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I would like to briefly discuss some most interesting—but rather frightening—facts about Federal encroachment into the electric power business. I am sure that all Americans who believe in our traditional free-enterprise and private-initiative philosophy, must view with some concern the significant advance federalization of the electric utility industry has made in the last 30 years. Nationalization of the electric power business carried forward at the 1930–45 rate would kill the investor-owned power industry by 1980.

I cannot believe that the American citizen desires nationalization of the electric power business. Most Americans, when they take time to reflect, recognize the immeasurable contribution to our way of life that the electric power industry has made in the short space of a man's lifetime—in the 80 years since Thomas A. Edison founded the electric power industry. In these 80 years the private electric power industry has opened the way to a new and remarkable world of industrial progress and scientific achievement. Yet we still hear a hue and cry from certain small segments of our citizenry demanding so-called cheap Federal electric power—cheap Government power at any cost. Certain voices are heard calling for giant Federal power transmission grids at super high voltages, regardless of need or economic considerations. These same voices cry out for Federal construction of single-purpose powerplants, ignoring our time-honored concept of Government power production only as an incidental element of reclamation purposes. We find Federal yardsticks that conveniently shrink to measure Government power schemes and stretch suspiciously when measuring private power proposals.

Reasonable men reaching reasonable conclusions can only observe that there seems to be an organized program afoot dedicated to killing or crippling the private power industry. The Federal superpower schemes, whether fostered as a facet of creeping socialism or merely a part of bureaucratic empire building, can have only one end result: the abolition of private power in our country through socialization of the electric power industry.

Back in 1948 the Bureau of Reclamation published a book entitled "Program of Power Development—Fiscal Years 1948 Through 1957," which presented the power development program of the Bureau of Reclamation for that 10-year period in the 17 Western States. The purpose and scope of the Bureau's program is noted on page 1 of this book:

This report presents the proposed power development program of the Bureau of Reclamation over the next 10 years.

It looks ahead to the future power systems to be developed by the Bureau in the West. Each of the seven administrative regions has prepared a 10-year power program and each of these programs constitutes one of the following sections. Mention of a particular powerplant or transmission line does not necessarily mean that it is as yet authorized, but that it is considered as a necessary part of the development to accomplish the program to provide for the estimated future load.

This 1947–58 power program report has tentative Federal power transmission grids stretched all over the 17 Western States, including a proposed transmission network in the Upper Colorado River Basin. Read this report and

you will receive firm impressions that as far as the Bureau is concerned power development is its sole function and that private power companies are nonexistent.

The Bureau's 1947–58 power program is strong evidence of long-range plans to federalize the electric power industry. Why else is there now such persistent political clamor to have the Bureau of Reclamation build a Federal transmission grid in the Colorado River storage project area when private companies have offered to transmit Colorado project power at less cost? I say this despite the claims of Federal power advocates that the price of power to preference customers would have to be increased if the private companies do the transmission job. When we investigate this claim we find that it just is not true.

We find that the Bureau of Reclamation has devised a so-called yardstick transmission system which is incapable of fulfilling the power marketing criteria established for the Colorado River storage project. The wheeling offer of the private companies meets these same marketing criteria.

We find a double standard of operating costs applied in the Bureau's evaluation of the private utilities' offer: a reasonable annual operating cost applied to the Bureau's yardstick; an annual cost almost twice as great for the same facilities in the utilities' offer.

We find a double standard of power deliveries; bus bar deliveries for the yardstick; arbitrary and unrealistic power flows for the same power in the evaluation of the utilities' offer.

We find beneficial interconnections with other transmission systems assumed for the yardstock without consideration of accompanying costs.

Yet, despite all this, a fair and proper evaluation of the utilities' offer shows these private companies can still do the job quicker and better and cheaper.

It is about time we pulled our heads out of the sand to take a long hard look at this question of federalization of electric power. I think we would find that good time-proved American private enterprise is still the best short-range and long-range way to do things.

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

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

Mr. BECKER. Mr. Chairman, it has been said that the controversy over construction of transmission lines for the Colorado River storage project was not a public-private power fight. Several other proponents of an all-Federal transmission system have made the same statement. Well, if it is not a private-public power fight I do not know what it is. It is certainly not a reclamation question.

I say without reservation that it is a private-public power fight and one of much greater magnitude than meets the eye. It concerns a great deal more than some transmission lines for the Colorado River project. These lines are a part and parcel of a plan to greatly expand Government power. We do not want to forget for 1 minute when we vote on this question that we are not voting on a relatively small appropriation this year, we are voting for the unnecessary, wasteful expenditure of $136 million which is only a beginning that will lead to the expenditure of millions of additional Federal funds.

If you have any doubt about that, I hold in my hand a document which begins to tell the story, but only a part of it.

First, there is a letter of July 7, 1961, from a Mr. F. M. Clinton, regional director of the Bureau of Reclamation, from Salt Lake City, written to Mr. John J. Bugas, manager of Colorado-Ute Electric Association, Inc., a generation and transmission electric cooperative with headquarters at Montrose, Colo. The letter refers to discussions the two have had about the co-op building steamplants. It stated:

> For the purpose of securing a loan from the Rural Electrification Administration for the construction of a steamplant, you desired that we furnish you a statement as to the benefits that would accrue directly to the Bureau. * * *

After much other discussion, the regional director of the Bureau tells the G. & T. manager that considerable benefit to the Bureau system would result from the installation of a steamplant in the Craig area.

Here we have the Bureau of Reclamation and a generation and transmission electric cooperative scheming out a method to get a steam generating plant constructed in the Colorado River project area—a plant which, of course, which would be financed in whole by the Federal Treasury.

Next, there is a letter dated July 11, 1961, from Mr. Bugas, the co-op manager, to a Mr. Leslie Alexander, assistant manager of the Salt River project in Arizona. This letter states in substance that the Rural Electrification Administration is ready to make funds available immediately to the co-op to build a steamplant if they substantiate a need. The writer considers that the letter from the Bureau substantiates the need and the only other thing needed is for the Salt River project to issue a letter of intent to take 100,000 kilowatts of this power during the early years of the development.

A third letter in the folder is from Mr. R. J. McMullin, general manager of the Salt River project, dated August 11, 1961, to Mr. Bugas, the co-op manager, in which the Salt River project agrees to take the 100,000 kilowatts of power from the cooperative.

The last letter in this document is from a Mr. H. F. McPhail, executive director, Colorado River Basin Consumers Power, Inc., dated August 15, 1961, addressed to Mr. Floyd Dominy, Commissioner, U.S. Bureau of Reclamation. It discusses the Clinton letter and the agreement between the Salt River project and the Colorado-Ute Co-op.

The document also includes a map showing existing and proposed Bureau transmission lines in the Colorado River project area and steamplants proposed to be built by co-ops.

This is quite a document and tells quite a story. The Bureau of Reclamation, the Rural Electrification Administration, a generating and transmission cooperative and the Salt River project together working out a scheme to get an all-Federal transmission system. This is another example of the unholy alliance my colleague from Pennsylvania [Mr. SAYLOR] referred to in the fine speech he made last Thursday—an alliance that can only bring harm to the reclamation program.

The steamplant the Colorado-Ute Co-op proposes building is far removed from its own service area. Furthermore, the co-op could only use a fractional part of the capacity of the proposed plant. The Salt River project is down in Arizona some 540 airline miles and 800 transmission line miles from the proposed co-op steamplant. The Salt River project is perfectly capable of financing any additional capacity it needs on the open money market. It has been doing so for years. The Salt River project has conditioned its purchase of Colorado-Ute power upon construction by the Bureau of an all-Federal transmission line system.

These Government power advocates are not satisfied with asking the Congress to make a wasteful appropriation of $136 million tax dollars to construct unnecessary Federal transmission lines but are already planning to tap REA for millions of additional dollars of 2-percent money to construct steamplants. Even as now planned by the Bureau, the presently proposed Federal system would not deliver power to all of the preference customers, so the Bureau would have to have millions of additional tax dollars to extend the presently proposed system, or the co-ops would be borrowing additional millions of tax dollars from the Government at 2-percent interest to build lines to the Federal system. After all of this is done, then the Bureau will be back for millions of additional tax dollars to tie the all-Federal Colorado River project system in with other Federal systems.

The Government power zealots want to spend these millions of tax dollars to do a job that can be better done by the Bureau working with the five investor-owned electric companies now serving the area, and it can be done without increasing the cost of power to the preference customers. Such wild schemes do not make good sense.

COLORADO RIVER BASIN
CONSUMERS POWER, INC.,
Salt Lake City, Utah, August 15, 1961.

Mr. FLOYD DOMINY,
Commissioner, U.S. Bureau of Reclamation, Washington, D.C.

DEAR MR. DOMINY: A study made by the Colorado River Basin Consumers Power indicates that loads of our consumer-owned utilities in the States of Colorado, Wyoming, Arizona, Utah, and New Mexico, will exceed present and proposed resources in 1964. For this reason, we must construct thermal plants to supply our needs until, and following full usage of Colorado River storage project power.

In planning for thermal plants it is our opinion that by joint effort we can install fewer plants of larger capacity, while preserving the market for storage project power.

The fossil fuel plant power requirements of consumer-owned utilities in the five-State area, in addition to absorption of stor-

age project power, will be about 1 million kilowatts by 1970. In fact, the thermal plant requirements of Salt River project, over and above present resources, and storage project power, is expected to be 700,000 kilowatts by 1970.

By interconnecting thermal plants to the all-Federal transmission system, the greatest amount of storage project power can be moved with the least amount of line construction. Construction of thermal plants by our group further improves the reserve capabilities of the system, provides additional standby, and thus further substantiates the Bureau's claim that no outside standby line or generating capacity payments will be necessary.

The use of the all-Federal system for displacement or actual transmission of thermal power and energy enhances the project payout because in the first case, fewer lines and thus lesser investment is needed, and, in the second case, collection of wheeling charges by the Bureau would enhance project revenues. Mr. Frank M. Clinton, regional director, region IV, U.S. Bureau of Reclamation brought this out in his July 7 letter, copy attached.

Thermal plants such as those proposed for construction by our group in the coal bearing areas as shown on the attached map justify construction of the second 345-kilovolt line between Glen Canyon and Phoenix. Displacement will keep this link of the transmission system fully loaded.

Construction of thermal plants by our group will (a) develop fossil fuel fields to assist the coal mining industry whose economy is one of the hardest hit in our country and (b) provide mutual interconnection benefits to both private utilities and the Bureau of Reclamation.

Mr. Clinton's letter of July 7 stated that such plants will enhance the overall Bureau system. This decision has prompted the Colo-Ute Electric Association and the Salt River project to proceed with plans to construct a plant in the coal bearing area as indicated in attached letter agreement dated August 11, 1961. Such construction, however, is necessarily predicated on the construction of a Federal system for transmission of power and energy. In the absence of such lines plants burning higher cost natural gas would have to be constructed in central and southern Arizona.

Sincerely,

H. F. McPHAIL,
Executive Director, Colorado River Basin, Consumers Power, Inc.

SALT RIVER PROJECT,
Phoenix, Ariz., August 11, 1961.

COLORADO-UTE ELECTRIC ASSOCIATION, INC.,
Montrose, Colo.

(Attention of Mr. John J. Bugas, general manager).

GENTLEMEN: You have advised us of Colorado-Ute's intention to construct a coal-fired steam generating station of about 150 megawatts capacity on the coalfields of northern Colorado to be placed in operation in 1964, provided Colorado-Ute can obtain a market for approximately 100 megawatts beginning in 1964, with decreasing amounts thereafter in equal increments to a minimum of 60 megawatts by 1974, and can also obtain the necessary standby power to back up the station during emergency and planned outages.

Mr. Clinton, regional director, region 4, of the Bureau of Reclamation, in his letter to you of July 7, 1961, indicates that the planned Bureau transmission system for the Colorado River storage project would have sufficient capacity to transmit to preference customers in the southern division (Arizona and parts of California and Nevada) the power and energy you propose to market and that such capacity would be made available for this purpose, and also to furnish you with standby power. You have asked whether our project would be interested in entering into a power interchange arrangement with Colorado-Ute along the lines stated above.

You have also informed us that funds for construction of the station would be obtained through a loan from the Rural Electrification Administration and REA has requested you submit a letter of intent from our project with your loan application which states the general terms and conditions under which the project would be willing to purchase power from Colorado-Ute assuming our project desires to make such arrangement. It is understood, also, that you have instructed your engineers to undertake immediately a site selection study.

Consequently, if the Bureau constructs the transmission system for the Colorado River storage project in accordance with its plans submitted to this Congress and makes transmission capacity available as aforesaid, you may consider this letter as a definite commitment of the Salt River project agricultural improvement and power district, a preference customer of the southern division, to take and/or pay for electric power and energy from your proposed station, it being understood that such power and energy will be available to our project at the Bureau delivery point for storage project power near Phoenix, Ariz.

It is further understood that purchases by our project will be approximately 100 mw. in March 1964, with decresing amounts for the remainder of the 10-year purchase. This agreement is contingent upon the availability to us of 100 mw. from said plant by March 1964. The charges for this service would be expected to represent a pro rata share of the fixed cost on the station based on our project's year-to-year participation and the actual cost of fuel for the energy delivered plus any transmission charge imposed by the Bureau, provided the average cost per kilowatt-hour does not exceed the amount which has been agreed upon by the parties.

Our project will, to the extent of its own available reserve resources and those available by contract with others, provide Colorado-Ute standby power for purpose of emergency outages in an amount not to exceed 150 megawatts during the 10-year period. Provided that planned outages are confined to the months of October through March and coordinated with our unit maintenance schedule our project will provide planned outage standby power for the proposed unit during the 10-year period. Charges shall represent the incremental costs for energy plus any transmission charges imposed upon delivery by the Bureau.

We contemplate that, in addition to the above purchase and sale provisions, the final contract may provide for standby to the project and reciprocal excess energy arrangements to the extent possible within the limitations of either party, cooperation and coordination in making future system additions and in operation of the respective systems for interchange of power between the systems, and the establishment of a committee to administer the contract. The usual contract language relating to standard provisions would be a part of the agreement.

It must be emphasized such a contract is possible only if the Bureau proceeds with its plans for the storage project transmission system, and as a common carrier feature thereof does make available transmission capacity for the purposes of this contract. The proposed formal written agreement, when prepared, shall be subject to the approval of our respective boards of directors and such others as may be deemed necessary.

Yours very truly,

R. J. McMULLIN, *General Manager.*
SALT RIVER PROJECT, AGRICULTURAL IMPROVEMENT AND POWER DISTRICT.

COLORADO-UTE
ELECTRIC ASSOCIATION, INC.,
Montrose, Colo., July 11, 1961.

Mr. LESLIE M. ALEXANDER,
Assistant Manager, Salt River Project, Phoenix, Ariz.

DEAR LES: Recent studies completed by Colorado-Ute indicate that it is both practical and feasible for Colorado-Ute to construct a 150 megawatt steamplant on the coal fields of northern Colorado providing that Colorado-Ute can, in the early years, sell to the Salt River project, or to some other customer, approximately 100 megawatts from this plant.

Recent board studies conducted by the Bureau of Reclamation reveal that it is possible to transmit, over the storage project transmission system, power and energy from a plant located in northern Colorado to the Salt River project in Phoenix, Ariz. These studies also indicate that such a plant located in northern Colorado would be beneficial to the Bureau of Reclamation and to the preference customers.

The Rural Electrification Administration has indicated that it will make loan funds available immediately for the construction of this plant based on the fact that our loan support study does substantiate the need for this powerplant.

REA has, however, requested that we obtain a letter from the Bureau of Reclamation which will support the need for construction of the plant during the early years of operation of the storage project and which, in a general way, will indicate that the storage project transmission system may be used to transmit power to beneficiaries of the Rural Electrification Act and other preference customers in the basin.

We are enclosing a copy of Mr. Clinton's letter which we feel does state the need for the construction of a steamplant in northern Colorado, and further does set down the general policies under which the transmission system will be made available for power and energy interchange.

REA has also requested that our loan application include a letter of intent from the Salt River project stating briefly the general terms and conditions under which it would be willing to purchase power from Colorado-Ute. It is understood that this letter of intent will provide the basis for negotiating the interchange power contract between the Salt River project and Colorado-Ute.

Your letter of intent should cover the points outlined in the enclosed suggested draft.

It is our intention to complete our loan application within the next 2 weeks, and to submit the request for loan funds to the Administrator about August 1, 1961.

Very truly yours,

JOHN J. BUGAS,
General Manager.

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION, REGIONAL OFFICE, REGION 4,
Salt Lake City, Utah, July 7, 1961.

Mr. JOHN J. BUGAS,
Manager, Colorado-Ute Electric Association, Inc., Montrose, Colo.

DEAR MR. BUGAS: Reference is made to the discussions held with you in Salt Lake City in regard to the association's proposal to construct a steamplant near Craig, Colo. At that time you advised that the principal concern and reason for proposing construction of such a steamplant would be to provide the preference customers with a guarantee of service in the event low water years prevented the filling of Glen Canyon Reservoid sufficiently to supply the amounts of power that would then be required by the preference customers. You proposed a method of operation wherein a portion of the plants' output would be used to supply

the requirements of the Salt River project in order to provide it with a firm source of power during the initial years of operation of the Glen Canyon powerplant.

For the purpose of securing a loan from the Rural Electrification Administration for the construction of a steamplant, you desired that we furnish you a statement as to the benefits that would accrue directly to the Bureau and the extent to which these benefits would be available to its customers. Total loads of REA cooperatives in the northern division that could be supplied from the storage project would amount to about 50 megawatts in December 1963. Under the proposed construction schedule for Flaming Gorge, sufficient power would be available from that plant to supply these loads. Studies also show that by August 1964 requirements of REA cooperatives including those in the southern division would amount to approximately 120 megawatts. December 1964 requirements for this latter group of cooperatives would be about 95 megawatts. Under the present construction schedule for Glen Canyon powerplant there would not be capacity to supply fully the August 1964 REA and other preference customer loads even with favorable water conditions. As a matter of fact, the load estimates show that storage project power even with favorable water conditions would fully supply the preference customer summer requirements only in 1966. Other sources of supply in addition to the storage project will be needed. If water conditions were such that the dead storage space in the Glen Canyon Reservoir could not be filled, there would be no generation at Glen Canyon. Under this condition a much larger portion of the needs of all the preference customers in the market area, including the REA cooperatives, could not be filled from storage project power.

In order to be assured of a continued power supply not available from the storage project in event of low water conditions, some of the cooperatives would have to commit themselves to long-term contracts for a power supply from other sources and would for the term of these contracts lose the benefits of storage project power. This would be particularly true of those cooperatives who do not have their own generation. Your proposed powerplant could constitute a firm and reliable source from which power could be obtained to permit the Bureau to meet contract commitments for storage project power for these REA and other customers in the event of low runoff of the Colorado River during the initial years of operation of the storage project plants.

In order to assure that generation from your plant would be available to REA cooperatives and other preference customers, the Bureau transmission system would have to have sufficient capacity and be utilized for delivery of power. The charge for this service has not been determined. Charges for transmission service would have to be considered in two categories; i.e., (1) when power and energy from your steamplant is purchased and delivered by the Bureau in lieu of storage project power, and (2) when steamplant power is delivered in addition to storage project power. Our studies show the system would have the necessary capacity and we would agree to make it available for this purpose. In the first case a wheeling charge would not apply and in the second case the charge would be commensurate with the cost of transmission, taking into consideration net benefits that might accrue to the Colorado storage project, and to REA cooperatives and other preference customers.

Our studies show that considerable benefit to the Bureau system would result from the installation of the steamplant in the Craig area particularly if this power were used in future years as a supply for preference customers in the southern division. Through displacement, power to the southern division would be supplied from Glen Canyon while the northern division customers could be supplied from generation from the proposed steamplant. Transmission losses could be reduced, fuel costs for energy at a mine-mouth steamplant would be lower than fuel costs in the southern division from natural gas or coal transported to the area. The location in northwestern Colorado for the proposed steamplant is ideal to provide the stabilizing influence inherent in synchronous machines. The proposed steamplant would also reduce the requirement for synchronous condensers in the Craig, Colo., area for voltage regulation and provide more reserve capacity. Integrated operation of the steamplant with the hydroplants at Flaming Gorge, central Utah project, and Curecanti would permit full utilization of peak capacity of these plants. Consideration is being given to possible increases in the peaking capacity in the latter two plants.

The basis for determining firm power supply from the storage project is the use of average generation over a longtime period with purchase of off-peak energy during the years of less than average flow to maintain the average. An arrangement whereby this offpeak thermal energy could be supplied from your proposed steamplant would be an efficient and desirable arrangement.

Further discussions with you and additional studies would be required in order to determine the details and arrangements that would be required in order to properly integrate the steamplant output with hydropower from the storage project. If the steamplant is located near Craig, it would be desirable to terminate the 230-kilovolt line north from Curecanti at the plant rather than at Rangely. The necessity for additional lines will need further study along with the possibility of delaying construction of other contemplated lines. Due to the urgency of initiating construction of transmission lines necessary to accomplish satisfactory integration of the steamplant with the storage project, it is urgent that any decisions in this matter be made as soon as possible.

Very truly yours,

F. M. CLINTON,
Regional Director.

Mr. KIRWAN. Mr. Chairman, I do not want to take any more time of the Committee. There has been enough said on this question already.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. JENSEN].

The question was taken; and the Chairman announced that the "noes" appeared to have it.

Mr. RHODES of Arizona. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. JENSEN and Mr. EVINS.

The Committee divided, and the tellers reported that there were—ayes 114, noes 135.

So the amendment was rejected.

The Clerk concluded the reading of the bill.

Mr. SELDEN. 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 Alabama?

There was no objection.

Mr. SELDEN. Mr. Chairman, the appropriation bill under consideration contains $750,000 for beginning construction on the Holt lock and dam located on the Warrior River in the congressional district I have the privilege to represent. This project, part of the overall plan for the full development of the Warrior-Tombigbee River system, will complement and supplement the modern Warrior, Demopolis, and Jackson locks and dams that have improved 350 miles of the channel by eliminating nine inadequate navigation structures between Tuscaloosa and the mouth of the river at Mobile. The Holt lock and dam itself will replace four obsolete structures which present one of the last major bottlenecks to efficient navigation on the waterway. Its construction is the next step in the carefully considered, expertly devised blueprint which the Army's Corps of Engineers has projected to harness this major river system to serve the growing needs of the people along the waterway.

Those of us who have worked through the years to obtain first the authorization and then the planning funds for this important structure, which is so urgently needed for the efficient movement of commerce along the upper reaches of the Warrior-Tombigbee River system, were exceedingly pleased when the members of the Appropriations Committee approved the budgeted funds of $750,000 for beginning actual construction on the Holt lock and dam. We are most appreciative of the consideration always extended to us by the members of the committee, and we are grateful for the interest they have shown over the years in the program to improve the Warrior-Tombigbee Waterway.

By drastically reducing locking time and eliminating delays caused by traffic congestion, highwater closures and other hazards, the Holt lock and dam will greatly reduce the voyage time for the movement of commerce along the waterway. It is expected that it will also offer public recreation facilities. In addition, a power installation of 40,000 kilowatts is contemplated in the project. It has been anticipated that the installation of these power facilities would be undertaken by the Alabama Power Co. under a license issued by the Federal Power Commission. Although an application for a license was filed by the Alabama Power Co. on November 5, 1959, the Appropriations Committee on pages 29 and 30 of the report correctly points out that a license has not yet been granted. The committee in its report urges that the Public Works Committee consider authorizing Federal construction of the power facilities. In view of this recommendation, I feel it important to review the steps leading to the Alabama Power Co.'s application for a license to install a powerhouse at the proposed Holt lock and dam.

Under a license issued by the Federal Power Commission on September 12, 1957, the Alabama Power Co. constructed the Lewis Smith Dam, located on the Sipsey Fork of the Warrior River. This 300-foot-high structure is one of the largest earthfill dams in the entire world, and its reservoir is able to furnish the Birmingham district with a new industrial water supply of approxi-

mately 75 million gallons of water daily. Power facilities are presently being installed at the Bankhead lock and dam on the Warrior River by the Alabama Power Co. under the same license.

In May 1956, the Alabama Power Co. filed an application for a preliminary permit to install a powerhouse at the proposed Holt lock and dam. The permit was granted on January 7, 1957. This action was followed by an application for a license submitted by the company on November 5, 1959, and an application for amendment in April 1961, with a second amendment in June 1961.

It is important to note that power development at both the Bankhead lock and dam and the Holt lock and dam is justified solely by streamflow regulation furnished by the Alabama Power Co.'s Lewis Smith Dam.

Water required for lockage at Holt lock and dam is estimated by the U.S. Corps of Engineers at 300 cubic feet per second. The natural flow in the Warrior River during low-flow periods is less than this amount, and no water is available for power. Discharges from Lewis Smith Dam increase this flow during dry periods to approximately 1,100 cubic feet per second, justifying an installation of 40,000 kilowatts at Holt lock and dam. This power available at Tuscaloosa will improve the reliability of electric service to industrial and other customers in the Tuscaloosa area.

The Alabama Power Co. expects to spend approximately $10 million on power facilities at the Holt lock and dam. It is estimated that the company will pay Federal taxes of some $386,000 per year on this project and State and local taxes of approximately $114,000.

The Alabama Power Co. has studied this project continuously since 1956 and has spent a considerable sum in developing a plan satisfactory to the Corps of Engineers and the Federal Power Commission.

Mr. Chairman, certainly I am not opposed to the development of power facilities by the Federal Government. As a matter of fact, I have voted to bring about such development. For example, I supported legislation in 1959 which gave the Tennessee Valley Authority permission to expand its facilities through the issuance of $750 million in bonds. Today I am supporting funds for Federal construction of certain electric power transmission lines for the Colorado River storage project. At the same time, I recognize the importance of partnership projects in the development of our river systems. For instance, I joined with the majority of my colleagues from Alabama in introducing and supporting legislation that is making possible the development of the Coosa-Alabama River system jointly by the Federal Government and private industry.

In view of what has already transpired in connection with three constructed or proposed hydroelectric structures on the Warrior River and its headwaters, Mr. Chairman, I cannot concur with the committee's recommendation that the Public Works Committee should at this late date consider authorizing Federal construction of the power facilities at the Holt lock and dam.

Mr. Chairman, I have been authorized by the gentleman from Alabama [Mr. BOYKIN], the gentleman from Alabama [Mr. GRANT], the gentleman from Alabama [Mr. ANDREWS], the gentleman from Alabama [Mr. RAINS], the gentleman from Alabama [Mr. ROBERTS], and the gentleman from Alabama [Mr. HUDDLESTON], to state that each of them have reached the same conclusion expressed in my remarks.

Mr. JONES of Alabama. 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 Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Chairman, I rise to express my great gratification and support of the action of the Appropriations Committee with respect to Holt lock and dam on the Warrior River in Alabama. The amount of $750,000 has been included by the committee to begin construction on this project. This is a great advancement in the multipurpose development of the Warrior system, a project that means so much to the development of our great State. A power installation of 40,000 kilowatts is to be included. For some time a permit from the Federal Power Commission has been held by the Alabama Power Co. to investigate the feasibility of construction of the power installation by non-Federal interests, namely, the Alabama Power Co. The Appropriations Committee has noted that so far a license for this work has not been granted as yet. It further urges that the Public Works Committees consider authorizing Federal construction of the power facilities. It states that this is based on testimony by both the Corps of Engineers and the Southeastern Power Administration that the power could be efficiently used in the Southeastern Power Administration marketing area and that it is needed to meet expanding requirements of preference customers.

The project for the Black Warrior-Warrior-Tombigbee system has been under the jurisdiction of the Federal Government for navigation and power development since 1884. There have been 14 congressional acts from that time to date which have authorized the construction of the channel and the necessary locks and dams. In 1937 a modernization program was started to replace the old structures. Most of this replacement has now been accomplished. The construction of the Holt lock and dam, approved by the Secretary of the Army in December 1958, will replace the four old locks immediately above Tuscaloosa and represents the last unit in the modernization program.

In 1956 the Corps of Engineers submitted to Congress a report on the headwaters of the Warrior River in which they found that power development was economical and feasible at several of the future dams and also at one dam which was to be reconstructed. Under the authority of the 1909 River and Harbor Act, the Secretary of the Army has recommended power development at the Holt lock and dam. Unfortunately the Alabama Power Co. stepped in about that time and sought to take over the power features of some of these proposed projects. I regret to say that they have succeeded in some cases. They have had a permit for a considerable period of time to investigate the power potential at the proposed Holt lock and dam, but they have never been granted a license by the Federal Power Commission. The Commission has specifically given the company 30 days in which they should show cause why a license should be issued to the company for development of power at the Holt site. It is my sincere hope that when the matter is gone into in detail the Federal Power Commission will refuse to grant this license.

As a member of the Public Works Committee, I am very anxious to take up the suggestion of the Appropriations Committee and to see to it that power is authorized and developed by the Federal Government.

Mr. Chairman, I cannot find words strong enough to express my views of private power companies like the Alabama Power Co. taking over the cream of the Nation's water resources for the benefit of a few, when power development, which is one of the most productive of the water uses, should benefit all the people. I can point out many examples where public power development has created prosperity and strengthened the economy beyond all expectation. The Tennessee River development by the Tennessee Valley Authority and the Columbia Basin are outstanding examples where the tremendous development under a comprehensive project by the Federal Government has benefited all the people not only because of flood control, navigation, and land reclamation but the generation of huge amounts of hydroelectric power which alone has been responsible for the growth of industries in these areas and has made it possible to create an entire new economy for the people of the Tennessee Valley and for those in the Pacific Northwest.

These rivers, the Black Warrior, the Warrior, and the Tombigbee, should not be developed by the Federal Government with the cream being given to private power companies. It is the people's money which goes into these projects, into these river basin developments, and the people should reap the benefit which flows from the power developed by the generators and turbines.

I congratulate the chairman and the members of the Appropriations Committee for taking the public-spirited approach and having the foresight to include funds for Holt lock and dam for construction by the Federal Government, the power to be sold through the Southeastern Power Administration to the benefit of all the people served by that great system.

The scheme for the multipurpose development of the Warrior will give the preferential customers—the people of Alabama—opportunities to acquire power through rural cooperatives and municipal distribution systems. This, of course, means that the water resources of

Alabama shall be appropriated for public use and not for private profits.

Mr. HUDDLESTON. 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 Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Chairman, as you know, I have the privilege of representing the Ninth District of Alabama. This district comprises Jefferson County, Ala., in which Birmingport at the headwaters of the Warrior-Tombigbee Waterway is located. The Holt lock and dam is to be located on the Warrior River a few miles below or downstream from Birmingport. This lock and dam, when completed, will replace four existing obsolete locks and dams and not only will accelerate locking time and towing speeds but will generally eliminate unfavorable navigation conditions.

We in Alabama are delighted that the House Appropriations Committee has approved $750,000 for the commencement of construction of the Holt lock and dam which is so vital to the continued development of the Warrior-Tombigbee Waterway and the many industrial and agricultural communities which it serves.

The Appropriations Committee in its report recommended that consideration be given by the House Public Works Committee to authorize Federal construction of power facilities at the Holt Dam.

In May 1956 the Alabama Power Co., the public utility which serves the area surrounding the proposed location of the Holt lock and dam, filed an application with the Federal Power Commission for a preliminary permit to install electric power generating facilities at this dam. This preliminary permit was granted on January 7, 1957. Pursuant to and in reliance on this permit, the Alabama Power Co. has studied this project continuously and has expended substantial sums of money and the time of its personnel in good faith in developing its plans. On November 5, 1959, the company filed its application for a license with the Federal Power Commission. If this license is granted, the company will construct the required facilities at a cost of approximately $10 million.

As a result of the power facilities at Holt lock and dam, the company will pay taxes annually in the approximate amount of $500,000.

It is my hope that the license application of the Alabama Power Co. will be approved by the FPC as soon as practicable and that the study suggested in the Appropriations Committee's report will not cause undue delay in the construction of the power facilities at the Holt lock and dam.

Mr. HIESTAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HIESTAND: On page 24, after line 3, insert a new section as follows:

"TITLE IV—GENERAL PROVISIONS

"SEC. 401. Funds appropriated in this Act shall not be available for apportionment or obligation in excess of 90 per centum of the amounts specified herein except in the event of national emergency declared by the President."

Mr. HIESTAND. Mr. Chairman, this may seem a unique amendment. I view it as a rare opportunity for every Member in this House. Here is an opportunity to vote for fiscal responsibility against inflation and for all the things that we feel made this country. Here is an opportunity to do all of these things without any district or any area or any project getting really hurt. It would reduce the availability of funds 10 percent right across the board. We can say there are a few, perhaps, the extreme cases where a project cannot take a 10-percent cut, but I suggest to you, Mr. Chairman, that every Member here knows that practically all of his projects, his pet projects, can take a 10-percent cut without really getting hurt. Here is a chance to register as voting for fiscal responsibility. Here is a chance to go back to our districts and say, "I voted to cut the so-called pork barrel bill."

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

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

Mr. TABER. Does the gentleman realize the bill carries appropriations amounting to $3,700 million?

Mr. HIESTAND. I thank the great Member from New York and I do very much realize what the gentleman from New York says. This would be a substantial cut which would save your country and mine $360 million. We can vote for that saving without anybody getting hurt very much. I might say the district I represent, or part of it at least, has $16 million in there. It would cut it $1,600,000 and it is not easy to take.

We know that these project requests, when they come in, have been made in a generous way.

The Committee on Appropriations has conscientiously gone over them and has cut them here and there where they felt they could be cut without getting hurt. But here is a chance we rarely have. This whole bill is a tremendous bill. It can save $360 million of the taxpayers' money. Mr. Chairman, that should be worth saving. While we might say that one particular project where the work is done and the amount is only enough to pay the bill—in extreme cases like that, a supplemental appropriation can catch it up next January. I know there will be some. There are bound to be some of them. As a matter of fact, there will be some in the next supplemental anyway. If we can cut another $360 million from this bill, we, Members of the House, can vote that way and can go back to our districts and report, "I voted to cut the so-called pork barrel bill," for which we are all paying, by $360 million. I think it will be a real achievement. I hope the House will consider this amendment and that every Member can go back to his district and say, "I voted to cut the so-called pork barrel bill."

Mr. EVINS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I oppose this amendment. It is a meat-ax approach and an unintelligent approach after the committee has studied this matter at length and the committee did cut $40 million out of the bill. For the Corps of Engineers the total amount of the cuts would be more than $70 million. The great bulk of the cut would fall on the Atomic Energy Commission which is vitally concerned with national defense. It would also cut out funds for atomic testing which is underway at this time. I do not think the Congress wants to do that.

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

Mr. EVINS. I yield to the gentleman from Massachusetts.

Mr. BOLAND. As the gentleman from Tennessee has pointed out, this is a 10 percent across-the-board cut. We have already cut this bill by more than $70 million. We have taken account of slippages in this bill and I think we have gone as far as we possibly can go.

As the gentleman from Tennessee pointed out, I would remind the House that if this amendment carries, we will be cutting out of the Atomic Energy Commission more than $200 million. That is the real effect of this amendment.

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

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

Mr. HIESTAND. May I direct the attention of the gentleman to the last line of the amendment, which states that the President, in case of an emergency or extreme need, could allow the expenditure in excess of 90 percent. They can expend 90 percent without any question, and the President has the authority to grant that additional amount by way of an exception in extreme cases.

Mr. EVINS. I think the amendment should be voted down. It is most unwise at this time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HIESTAND].

The amendment was rejected.

Mr. BOLAND. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore having assumed the chair [Mr. BOGGS], Chairman of the the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 9076) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Tennessee Valley Authority, and certain study commissions, for the fiscal year ending June 30, 1962, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. BOLAND. Mr. Speaker, I move the previous question on the bill and the amendment thereto to final passage.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

Mr. JENSEN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. JENSEN. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. JENSEN moves to recommit the bill H.R. 9076 to the Committee on Appropriations with instructions to report the same back forthwith with the following amendment: Page 11, line 13, strike out "$55,468,000" and insert "$51,243,000"; and on page 11, line 14, strike out "$53,268,000" and insert "$49,043,000"; and on page 11, line 24, strike out the period, insert a colon and the following proviso: *"Provided further,* That no part of the funds herein appropriated shall be available for constructing the following transmission lines and facilities:

"Vernal-Provo No. 1 transmission line and substation 138 kilovolts;

"Craig-Sinclair transmission line and substation 115 kilovolts;

"Glen Canyon-Sigurd-St. George transmission lines and substations 138 kilovolts;

"Glen Canyon-Phoenix transmission lines and substations 230 kilovolts (double circuit);

"Four Corners-Albuquerque transmission line and substation 230 kilovolts (double circuit);

"Curecanti-Rangely transmission line 230 kilovolts;

"And the Gunnison-Midway section of the Curecanti-Midway transmission lines and substation."

Mr. CANNON. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

Mr. JENSEN. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Under the order of the House of September 7 further consideration of the bill will go over until tomorrow.

GENERAL LEAVE TO EXTEND

Mr. JENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill under consideration.

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

There was no objection.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GROSS. Does this mean that the rollcall on this bill is ordered for tomorrow?

The SPEAKER pro tempore. That is correct.

Mr. GROSS. Would this be the first order of business tomorrow?

The SPEAKER pro tempore. Not necessarily.

ADMISSION OF CERTAIN ALIENS

Mr. WALTER submitted a conference report and statement on the bill (S. 2237) to permit the entry of certain alien orphans.

TWENTY-FIFTH ANNIVERSARY OF TRAFFIC INSTITUTE OF NORTHWESTERN UNIVERSITY

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. CHURCH. Mr. Speaker, I rise today to inform the Congress that on October 14, 1961, the Traffic Institute of Northwestern University will celebrate its 25th anniversary. On that day, its approximately 1,000 graduates, and thousands of other persons—former faculty members, patrons, and friends, as well as current students and members of the institute staff—will attend day-long activities on the campuses of Northwestern University in Evanston and in Chicago.

I rise also today to pay my personal tribute to the Traffic Institute of Northwestern University for the immeasurable contribution that it has made to human safety, through its emphasis on the need and training for traffic control and accident prevention, during the quarter-century since its founding.

It is difficult indeed to overemphasize what the institute has accomplished for America and for the entire world in its efforts to solve the safety problems that have arisen through the growing magnitude of motor vehicular use. When the institute first opened its doors, the traffic death rate was 15.1 deaths per 100 million vehicle miles: last year, the National Safety Council reported a mileage death rate of 5.3.

The traffic institute, established in 1936 as a police traffic training school, now includes in its program virtually all types of traffic training, field and extension services, research and development, a legal information service, and publications in the field of street and highway traffic. It provides training for police, traffic engineers, motor vehicle fleet supervisors, driver license personnel, members of the military forces, traffic court judges and prosecutors, and others concerned with the movement and safety of traffic.

The institute assists in establishing training programs at various universities and colleges and collaborates on programs with the American Bar Association, the International Association of Chiefs of Police, the National Safety Council, and other organizations. Its guiding principle is that the traffic problem will yield more readily to the combined talents and resources of all who are working for traffic safety rather than to those of any one agency or force.

Through its publications and training materials and its well-known research project, "Case Studies of Traffic Accidents"; through its field training programs in communities throughout the country; and through the efforts of traffic institute-trained police—many of whom now serve as heads of State, county, and city police departments—significant headway has been made in the reduction in accident frequency and severity, relief of traffic congestion, and the acceptance of traffic safety programs by the public and local governments.

The city of Evanston, in which my home is located, is proud to note that it was a lieutenant of the Evanston Police Department, Franklin M. Kreml, who in 1932 first conceived the idea of a traffic institute, and became its first director when it was established in 1936 with the financial backing of the Automotive Safety Foundation of Washington, D.C., and the Kemper Foundation for Traffic Safety, Chicago.

The six founders of the institute who are to be particularly honored by a silver anniversary tribute at the celebration on October 14 are the Honorable James S. Kemper and Hathaway C. Kemper, insurance executives and civic leaders; the Honorable Paul G. Hoffman and Norman Damon, automotive industry leaders; Andrew J. Kavanaugh, veteran police official, and Franklin M. Kreml. Honor will also be paid at the coming celebration to two former directors of the institute—Robert E. Raleigh and Robert L. Donigan—and the present director, Bernard R. Caldwell.

It was the vision of these men and their dedication to public service which led them to sponsor and buttress the progress of the traffic institute in the important field of traffic safety. So signal has been the success of the institute that it is well-termed throughout the world as "the West Point of traffic policing."

THE JACK PAAR INCIDENT

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. HOFFMAN], may extend his remarks at this point in the RECORD and revise and extend his remarks.

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

There was no objection.

Mr. HOFFMAN of Illinois. Mr. Speaker, much has been said and written within the past few days with respect to the untimely filming of a television show on the tense East-West Berlin border by Jack Paar. I call to your attention the item which appeared in the Chicago Daily Tribune of September 12, 1961.

In spite of Mr. Paar's repeated statements that foreign newspapers are supporting his position, it appears from the news item referred to, that the paper closest to the incident does not concur in his statements. In my opinion these films should not be shown because they were taken for the benefit of a few while endangering the safety of many. Mr. Paar's actions before the last election might entitle him to some consideration,

but this incident goes far beyond propriety. It is most difficult to believe that Mr. Paar was given this permission by an Army colonel. The authorization must have come from a much higher echelon.

The news story follows:

PAAR TOLD TO "GET LOST" BY BERLIN PAPER

BERLIN, September 11.—The West Berlin newspaper B.Z. said today that Jack Paar, television comic, "soiled the honor" of American soldiers defending the city and made them "extras in a cheap propaganda trick."

The newspaper, in an editorial titled, "Get Lost, Mr. Paar," said, "Pack your bags and go back to the United States. Your countrymen are very welcome here all the time and so are American journalists but we can do without you."

FILMS SHOW AT BORDER

The powerful newspaper criticized Paar for filming a television show on the tense East-West Berlin border last Thursday. Six officers, including 2 colonels, and 50 armed American soldiers, took up positions at the Friedrichstrasse crossing point while Paar filmed the show. It will be released in the United States tomorrow.

The Army relieved one officer of his duties and admonished another as a result.

"American soldiers stand here along with British and French soldiers to defend the freedom of our city," the B.Z. said. "We thank them and respect them. But you, Mr. Paar, have soiled the honor of these soldiers and debased them to extras in a cheap propaganda trick."

RAP HIS MOTIVES

"We have no understanding for a television comic trying to gain personal popularity out of the Berlin crisis. We agree with the American public and politicians who say 'the Berlin crisis is bitterly serious and is no backdrop for play acting,'" the B.Z. said.

The newspaper said soldiers guarding the border were game.

"Draw the proper conclusion, Mr. Paar," the newspaper said. "Pack your bags and get out." Paar left here for Paris last night.

THE NATIONAL DEFICIT

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR], may extend his remarks at this point in the RECORD and revise and extend his remarks.

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

There was no objection.

Mr. SAYLOR. Mr. Speaker, were it not for the fact that the general populace has become callous to the Federal Government's habit of perennially spending above its revenue, Secretary of the Treasury Dillon's statement on television Sunday would have created quite a start hereabouts. His estimate of $6 billion as the Government's deficit during the current fiscal year would seem to be enough to disturb the aware, the apathetic, and the visionary.

Despite the enormous revenue that will accrue to the U.S. Treasury, the administration now admits that it will be $6 billion in the red for the 12 months ending next June 30. Six billion dollars, I might point out, still constitutes a lot of spending money, even with the dollar devaluated to present levels. Left in the hands of taxpayers, $6 billion could buy almost 2½ million automobiles, thus supporting the economy not only of the Detroit area but in the steel towns of Pennsylvania, in mining communities, and in Akron, and everywhere that parts and accessories are manufactured.

Looking at this pile of money from another angle, it would be enough to allow 10 million Americans to take a nice vacation from border to border or coast to coast and provide needed revenue for railroads besides stimulating hotel, restaurant, and other consumer service business.

At many of our junior colleges and universities, 4 million students could matriculate at a total cost of no more than $6 billion. In any case, $6 billion in the hands of the people who earn the money would do the country in general a lot more good than to have it dispersed and dissipated by a bureaucratic government. Unfortunately, the amount about which we are speaking in this instance is not even going to be collected by the Federal Government; it is merely going to be added to the colossal national debt, thus firing the flames of inflation and making the necessaries of life more difficult for wage earners and retirees to obtain.

If anyone is so naive to assume that any substantial part of an additional $10 billion expected to accrue to the Federal Treasury in the fiscal year beginning next July 1 is to be used to reduce the debt, a news story in yesterday's New York Herald Tribune would quickly put such hopes to rest. According to that report, President Kennedy is getting a $90 billion spending budget—largest in the Nation's peacetime history— ready to submit to Congress when it returns in January.

In the past week the President himself has voiced grave concern over conditions that may put the current more moderate inflationary climb into an acute upward binge. The President is to be commended for stating publicly that inflation seriously imperils the national economy. Congress must do everything possible to assist in holding down the line through the utilization of whatever means are legitimate and desirable.

Tomorrow the House is scheduled to have an opportunity to restate its case against an unnecessary expenditure of $58 million. That is the amount which the House-Senate conference committee now places on the proposed electric powerplant at Hanford, Wash. It represents a savings of $37 million over the amount stipulated in the bill to which we have objected on three separate occasions, but I submit that it does not take a financial expert to reach the conclusion that the U.S. Government is in no position to lay out $58 million—or even $58—for this kind of nonsense.

The contraption planned for Hanford has no relationship to the national defense. It offers no opportunities for technological progress. It would subordinate another encampment of workers to Federal authority through the medium—direct or indirect—of the payroll.

All this news about the present plunge into another $6 billion debt, plus estimates for next fiscal year's budget, should prompt every Member of Congress who has not previously objected to Hanford to reappraise his position. If ever there was a time that anything but absolutely essential appropriations should be cut off, this is it. The big defense outlays have been occasioned by the roars of the big Red bear which may actually be afraid to carry out his threats. Perhaps he is attempting to divert attention from other insidious activities throughout the world. Whatever the intent, there is very definitely immediate danger of an explosion that could bring the universe into the most tragic holocaust of all times.

The Federal budget does not take an all-out emergency into consideration. The Herald Tribune explained it this way yesterday:

Defense spending could climb even more sharply than now is planned if international tensions become worse but officials see virtually no chance of a move in the other direction—of a dramatic international improvement that would make it possible to cut back military programs.

The prospect imposes a new responsibility upon Congress. We are morally obligated to disenchant any group or region of any ambitions for special projects at the expense of the National Government. The temper of the times calls for caution, economy, and unselfishness. The House cannot under any circumstances permit the conference report on the AEC authorization bill to be enacted. The dawning of an adjournment does not lessen the urgency of our case. The Senate's disdain of our decision must be met with the answer that has already thrice been served: in the national interest, the Hanford power project must be stricken.

CIVIL RIGHTS LEGISLATION

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may revise and extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. LINDSAY. Mr. Speaker, the Commission on Civil Rights has again documented the case for civil rights legislation. In the Commission's most recent report to the Congress, issued September 9, we are reminded that the right to vote is being denied because of race or color.

Purges of qualified voters, economic reprisals, restrictive voter qualification laws, and a host of arbitrary registration procedures are the continuing tools of systematic discrimination.

The Commission is of the opinion that although the 1957 and 1960 Civil Rights Acts are extremely helpful laws, broader measures are necessary.

Most of the new recommendations of the Commission are included in the omnibus civil rights bill I introduced shortly after the Congress convened and which I have pressed for ever since. The bill provides for: First, the prevention of discriminatory practices in the labor

movement; second, the prevention of discrimination in Government employment; third, fair employment practices with respect to concerns operating in interstate commerce; fourth, the grant of authority to the Attorney General to seek court action to protect the constitutionally secured rights of all; fifth, technical assistance to States attempting to comply with school desegregation orders; sixth, strong sanctions to prevent lynchings; and seventh, the elimination of the use of poll taxes and literacy tests arbitrarily to deny the franchise.

This session of the Congress is closing and yet no Presidential message on the subject of civil rights has been received. In view of all the promises of the campaign, and now the impact of this report, this is inexcusable. As a result, the Judiciary Committee of the House of Representatives has not even called hearings or scheduled the subject for discussion. The administration has even refused to press for an extension for the Civil Rights Commission beyond 2 years.

The Civil Rights Commission is to be commended for its objective and comprehensive report. The Commission has concluded that "the promise of the Constitution is not yet fulfilled." It is our job to see to it that the Constitution means what it says.

WILL STRIKES PREVENT AN ADEQUATE NATIONAL DEFENSE?

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, confronted by a national emergency to meet which we have appropriated billions of dollars; with the President sending an additional 40,000 men to Berlin to aid our forces already there; with hundreds of millions being paid to alleviate unemployment here at home—it certainly is difficult to understand the action of Reuther in advising local union members to strike shortly after he agreed with General Motors to an overall contract for the next 3 years.

Some 90 plants, the morning press tells us, have been closed by this strike and 257,390 employees are out of work. This happens the same week that Secretary of Labor Goldberg is telling the steel industry that it should not raise its prices, although the industry not long ago was forced to raise wages.

Just how much of this situation is due to Goldberg's insistence that jobs should be given to union members—and Judge Ricca at Detroit decided that any worker seeking to go to his job through a picket line assumed the risk of a beating—has been undetermined.

What President Kennedy and his Labor Secretary Goldberg seem to be unable to understand is that the desire for a profit exists in the minds of employers and stockholders as well as in the minds of workers.

We are all a little selfish and we will all have to sacrifice a little if the national good is to be served.

PUBLIC WORKS APPROPRIATION BILL

Mr. DOMINICK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and to include extraneous matter.

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

There was no objection.

Mr. DOMINICK. Mr. Speaker we will have before us for debate today and for vote tomorrow H.R. 9076 the public works appropriation bill which includes funds for an all-Federal system for transmitting power from the upper Colorado River project. On August 2, 1961, the Colorado Water Conservation Board recommended this proposal and subsequent to such time the private utilities modified their original proposal to reduce wheeling charges after their construction investment is repaid so that future charges would cover only ad valorem taxes and operation, maintenance, and replacement costs. This offer was requested by the Upper Colorado River Commission consisting of a representative appointed by the President and a representative of each of the Governors of Colorado, Wyoming, Utah, and New Mexico on September 1, 1961, and was agreed to by the utilities in writing. This board computed that the utilities combination plan would bring $89 million more revenue into the basin fund for participating projects by the year 2012 than the modified all-Federal system and thereafter would bring into the basin fund almost as much as the all-Federal system; hence the board recommended adoption of the utilities modified proposal. Since this recommendation was in conflict with that of the original resolution of August 2, 1961, of the Colorado Water Conservation Board, a meeting was held on September 8, 1961, to review the situation. At that meeting the Honorable Ed C. Johnson, former Democratic Senator and former Governor of the State of Colorado and the present representative of the State of Colorado on the Upper Colorado River Commission, gave his testimony to the Colorado Water Conservation Board. Following this meeting and discussions by the Governor of Colorado, the Colorado Water Conservation Board adopted a new resolution.

Since I feel these matters are of interest to all Members in this controversy, I wish to include in the RECORD the testimony of former Senator Johnson and the new resolution of the Colorado Water Conservation Board:

STATEMENT OF HON. ED C. JOHNSON, FORMER SENATOR FROM COLORADO

Mr. Chairman and members of the Colorado State Water Conservation Board, I am pleased to have this opportunity to review with you my activities in the highly controversial dispute which has developed with respect to the construction of transmission facilities to serve the Colorado River storage project.

As the Colorado commissioner of the upper Colorado River, I have deemed it my primary duty and responsibility to be concerned with and informed on all problems affecting the development of the Upper Colorado River Basin. A gigantic venture indeed in which I have been very active as U.S. Senator, Governor, and commissioner for more than 20 years.

Since the sale of Colorado River storage project electric energy must underwrite the development of irrigation in this basin, its direct importance cannot be passed over routinely by the Upper Colorado River Commission or by an individual commissioner. The adequacy and integrity of the basin fund out of which assistance to the participating irrigation projects will make many of them feasible, must be protected and nurtured.

This is and has been my objective. I have kept my mind on this one ball. Perhaps in doing so I have offended. But this is my conception of my duty and my responsibility and I have been faithful to it. Nor have I been backward about expressing it. There is no basis for the element of surprise in anything that I have said or done.

On August 2, 1961, I attended the special meeting of this board. You may recall that I was asked to speak. As the Colorado River commissioner I tried to make it crystal clear then that my official interest was neither in private nor public power but was centered in participating project revenue. I was disappointed that there appeared to be little or no interest in this angle and no interest whatever in the views of the Upper Colorado River Commission as such.

While I thought your action was premature and inconsiderate and that you should have sought a conference with the Upper Colorado River Commission, to iron out any misunderstandings, it appeared to me that the all-Federal system as presented by Felix Sparks would put more money in the basin fund annually after about 70 years. Therefore, had I been called upon to vote on the proposition as then presented, my interest in the basin fund would have caused me to vote with the majority.

In this meeting Mr. Sparks made the very strong point that the wheeling charges as proposed by the utilities would be out of line after the construction investment of their transmission system had been fully recovered. This would require about 45 years according to the calculations they had submitted. Accordingly in the interest of developing the water resources of the basin I suggested to the utilities that after the amortization of the costs of their transmission system was completed wheeling charges be reduced to payment of local ad valorem taxes and actual operation, maintenance and replacement. In the all-Federal system O.R. & M. must be paid out of the basin fund.

On May 11, 1961, the Commission of the Upper Colorado River requested Ival Goslin, its chief engineer and executive secretary, to make a detailed comparison of the all-Federal and the combination transmission systems to determine which would contribute the most money to the basin fund out of which the participating projects could be financed.

After 3 days of research and study by him and his staff, Mr. Goslin reported there was simply no common items that could be compared. He said it was like comparing apples and oranges. It seems each party had proceeded from a different set of factors, circumstances, and engineering and accounting data. Since then Mr. Goslin has kept on top of every development large and small. He has transmitted to each commissioner events as they have taken place, copies of correspondence with Bureau officials and pertinent data from all sources. He and his staff have done a most thorough job.

On July 17, 1961, I spent half a day in Salt Lake City with Mr. Goslin and his competent staff, checking a mass of figures, claims and counterclaims of both parties.

From time to time I have spent many hours with Mr. Kuiper or Mr. Spark's staff checking and counterchecking the claims of each party. Mr. Kuiper has been exceedingly patient with me and objective always. I have great respect for his integrity and engineering capability.

Also I have attended conferences with Mr. Patterson of the Public Service Co. of Colorado and Mr. Kuiper, in his office, which were held for the purpose of clarifying data submitted by the utilities to the State board.

Early in July 1961, I met with Howard E. Scott, manager, Colorado Rural Electric Association and Leslie M. Alexander, assistant general manager of the Salt River project of Phoenix, Ariz., in Mr. Scott's office for a full and frank discussion of the whole controversy. Mr. Alexander submitted some very interesting charts. He contended also that a provision of Public Law 485 limited the activities of private utility distribution of storage project energy. Mr. Sparks advised me later that he entertained no such interpretation of Public Law 485.

On June 8, 1961, I prepared a statement in the form of testimony before the Public Works Subcommittee of the House Committee on Appropriations in which I stated among many other things:

"In my opinion, while the wheeling charges of the Public Service Co. of Colorado and Pacific Power & Light of Wyoming are fair and equitable, this cannot be said of the wheeling charges of Arizona Public Service, New Mexico Public Service, and Utah Power & Light. Further negotiations should be undertaken between the Bureau and these three companies to develop a combination system which would serve the areas in their respective States at a more reasonable combined system cost."

Here is another quote from my June 8 testimony:

"I do not take second position to anyone in or out of Congress in the determination to protect the rights of the preference users. Wherever investor-owned utilities hesitate or neglect to provide for them adequate transmission facilities or satisfactory service or equitable wheeling rates, I favor the immediate construction of transmission lines by the Federal Government. On no other pretext should the Government get into the transportation of energy business. It has no more right to do so than it has to build railroads.

"Based on these standards, public funds are, or should be, made available by Congress to the Bureau of Reclamation for the construction of the following transmission lines and substations: Glen Canyon, Farmington; Flaming Gorge, Oak Creek; Farmington, Poncha; Gunnison, Montrose; Curecanti, Rangely; Craig, Sinclair, Wyo."

On June 13, 1961, Congressman WAYNE N. ASPINALL replied to me as follows:

JUNE 13, 1961.

Hon. EDWIN C. JOHNSON,
Denver, Colo.

DEAR ED: I received your letter of the 8th on time together with the original of your statement for use before the Subcommittee on Appropriations for Public Works. Fifty additional copies arrived a few days later. Neither arrived in time, Ed, for me to use before the committee during my appearance. However, I did secure permission to have your statement placed in the record of the committee's hearings. My position has been similar to yours as far as the Colorado part of the project has been concerned. So far I have not attempted to take the position for those areas outside of Colorado except the leadlines from Glen Canyon to Four Corners and Flaming Gorge to Rangely and Sinclair, Wyo.

It is always good to hear from you and to work with you, Ed.

With best wishes, I am,

Sincerely yours,

WAYNE N. ASPINALL,
Chairman.

For some weeks Governor Clyde, of Utah, had been anxious to have an informal conference of the commissioners on the transmission line controversy. Several dates had been considered and finally August 29, 1961, was agreeable to all the commissioners. In the meantime the utilities had expressed interest in my proposal that they reduce wheeling charge to cover only local ad valorem taxes plus O.M. & R. after the payout period was completed.

No. 1: The Upper Colorado River Commission did not hold their informal conference in Salt Lake on the proposed concession of the utilities on wheeling charges. We did meet to discuss amoung ourselves the transmission line controversy. In the course of our conference the new proposal did come up and the commissioners said they should like to talk with the utilities and get a better understanding of the proposal. They were called on the phone and since Mr. Patterson was in conference with Mr. Naughton of the Utah Power & Light we asked them both to meet with us immediately.

Since this conference in Salt Lake on August 29 was not a regular or special meeting of the commission we could not take any action on anything other than to set a special meeting in Denver for Friday, September 1. The utilities agreed to reduce their proposal to writing and to submit it to us in Denver. The commission agreed to prepare a resolution on the subject stating their position on this new offer of cooperation. The utilities stated they were making their concession in the interest of progress in the development of the water resources of the basin.

The special meeting of the Upper Colorado Commission held in Denver, Friday, September 1, 1961, was not a secret meeting. Mr. Sparks' office arranged a meeting place for it and persons from various parts of Colorado attended. It was an open meeting. However, after five or six routine matters were disposed of, Governor Clyde moved for an executive session and announced that it would last about 20 minutes. Instead the executive session lasted most of the day.

In addition to the chairman, Mr. Newell, the chief engineer and executive secretary, Mr. Ival Goslin, the reporter, the four commissioners, the treasurer, Mr. R. J. Coury, of Farmington, Mr. Reynolds and Mr. Davis, of New Mexico, and Mr. Sparks and Mr. Kuiper, of Colorado, sat in the executive session. Mr. Sparks was very helpful in pointing out errors in the resolution and complained about haste in which action was taken.

The purpose of the executive session was to adjust the language of the resolution of the committee to the satisfaction of the four commissioners and receive the five written proposals of the five utilities that had been promised. When these two steps were taken the doors were thrown open and motions were made, seconded and recorded and voted on in open session.

No member of the Colorado State Water Conservation Board asked to be heard or offered any objections to the proceedings. Mr. Bert Hanna of the Denver Post objected to the executive session.

Under the new investor-owned utility combination proposal the following payments will be made by the two systems. This money is used to build participation projects:

Year:	*Utilities*
2008	$1,180,000
2009	22,707,000
2010	22,707,000
2011	22,707,000
2012	22,707,000
Total	92,008,000

Year:	*All-Federal*
2008	None
2009	None
2010	None
2011	None
2012	$3,200,000
Total	3,200,000

In each year thereafter the all-Federal will pay slightly more to the basin fund than the utilities. The excess will be equal to the ad valorem local taxes paid by the utilities in Arizona, New Mexico, Colorado, Utah, and Wyoming on the transmission lines that serve the storage projects. Speaking personally, I kind of like local taxpayers.

Mr. Kuiper believes the all-Federal system when and if interconnected with the utilities steamplant at Farmington will be able to make much greater payments to the basin fund than shown above.

I go along with Mr. Goslin on this. It does not seem realistic to me for the all-Federal people to expect the utilities to pull the all-Federal system out of the fire with their new thermal plant at Farmington. I have no idea what the utilities may do. However, I do know that without interconnections at Farmington the all-Federal will be in serious trouble and the basin fund will be impaired.

This is what Mr. Goslin said with respect to this matter: "The Bureau of Reclamation is currently making an analysis of the modified transmission system interconnected at Four Corners. If and when we receive the results of this analysis we will forward a copy to you. I will predict, however, that the Bureau and the utilities will not be able to agree on an analysis of the interconnection at Four Corners due to being unable to agree on an assignment of the benefits derived from the interconnection."

Governor McNichols feels very strongly that he should have been informed of the meeting of the commissioners held in Denver September 1, 1961. The error is mine and mine alone. However, I had no idea the Governor felt as he does about this controversy. He had never mentioned it to me. I thought that it was not in his best interest to involve him in this vicious controversy. At 2:10 p.m., September 1, 1961, I was handed a copy of a letter the Governor had written some days previous to each of the Governors of the four States. I returned the letter unread.

After reading Governor McNichols letter to Chairman CLARENCE CANNON and the members of the House Appropriations Committee I am inclined to feel that it is fortunate the Governor was in no way responsible for working out the utilities historic wheeling rate concession.

Mr. Ival Goslin says: "You will note from the tables enclosed that in changing from the 'yardstick' to the 'modified' system the irrigation assistance to States has been reduced approximately $50 million. It should be interesting to know how much of this reduction is due to the addition of more lines to deliver power to preference customers, especially when it has been stated that the change from 230 kilovolt to 345 kilovolt lines from Glen Canyon to Phoenix and Glen Canyon to Four Corners will not

cause additional losses and may even reduce line losses."

This very unfortunate controversy over the construction of a transmission system for the Upper Colorado River Basin is more of a regional matter than a one-State affair. In fact about 95 percent of the controversial transmission lines are beyond the borders of the State of Colorado, while about 95 percent of the noncontroversial lines are in Colorado and Wyoming. It appears therefore that this Colorado State Water Conservation Board thinks that the tail should wag the dog. Most respectfully may I suggest that regional matters should be met with a regional approach.

The REA has done a remarkable job in bringing electricity to the rural areas of this country. They have every right to take great pride in it, but they are one of the Nation's most potent pressure groups and whenever a conflict develops between water conservation and power it is better for a water board such as this to keep preference users at arm's length. I realize that you came here to criticize and not to receive advice.

But I have worked with this board a long, long time and hold its members in affectionate regard. It has pleased me to note the progress and effectiveness the board has attained under the phenomenal leadership of Felix Sparks. No man in Colorado has done more for water conservation and utilization than he.

In addition I should like to say this—I should like to develop a better understanding and relationship between this board and the Upper Colorado River Commission. I think we should have joint sessions occasionally and an interchange of views frequently.

RESOLUTION OF THE COLORADO WATER CONSERVATION BOARD

Whereas the Colorado Water Conservation Board views with deep concern the action of the Upper Colorado River Commission taken at its meeting held September 1, 1961; and

Whereas the Colorado Water Conservation Board has had no opportunity to consider the revised offer of the private utilities to wheel power from the Colorado River storage project; and

Whereas the Colorado Water Conservation Board is charged with the responsibility of promoting conservation of the water of the State of Colorado: Now, therefore, be it

Resolved, That the staff of this board be immediately directed to enter into negotiations with the investor utility companies, the Bureau of Reclamation, and the Upper Colorado River Commission to the end that any new proposals heretofore or hereafter made by said utility companies shall be thoroughly evaluated; and that until such evaluation takes place, this board reaffirms its resolution of August 2, 1961, on the basis of information then and now before the board; be it further

Resolved, That this board, in response to the offer made by the Colorado member of the Upper Colorado River Commission, requests that said commissioner seek a meeting of said commission further to reconsider this matter, so that the action of the commission may truly reflect the views of the several States and that this board and its staff be allowed to attend and participate in such meeting; and be it further

Resolved, That the Governor of our State of Colorado be requested to initiate appropriate action to the end that the State of Colorado shall hereafter have a unified official position with respect to the protection and development of the water resources of this State.

THE COMMUNIST PARTY CASE

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

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

There was no objection.

Mr. WALTER. Mr. Speaker, on Monday, June 5, 1961, the Supreme Court of the United States announced its decision in the case of the Communist Party of the United States of America, petitioner, against the Subversive Activities Control Board. I regard this decision as a landmark of importance in law and in relation to the congressional effort to curb Communist internal subversion. At issue in this case was the constitutionality of certain basic provisions of the Internal Security Act of 1950, more particularly the registration and disclosure provisions thereof, as applied to Communist-action organizations. It is to be expected that in the October term of the Court next ensuing, the Supreme Court will promptly dispose of the Communist Party's petition for rehearing, so that this litigation, already much too long in process, will be concluded with due dispatch. With the case thus in its terminal stage, and the Congress approaching adjournment, I think it appropriate at this time for the House to refresh its mind on the issues presented.

Before entering upon an analysis of the decision I should first call your attention to certain matters of interest. The decision came as a shotgun blast causing a frantic scurrying to and fro among the vermin gathered at Communist Party headquarters in New York City. To permit the leadership time to compose themselves, the petition for rehearing was filed and a stay of proceedings obtained, which occurred in June toward the end of the last term of Court, thus allowing the Communist Party at least until the October term, about to commence, to agitate against the decision and to take advantage of it as a "cause" for improving the finances of the party. You will shortly witness the high point of the most extensive Communist propaganda effort since the Rosenberg espionage case—a case that will be long remembered. The extent and power of that effort, the success with which it involved even legitimate organs of communication, seemed then to surprise and confound many people.

While one may be shocked, perhaps one should not be mystified. Some few weeks ago, I addressed the House in connection with the current publication of a scurrilous and mendacious volume titled "The Un-Americans," written by a Frank J. Donner, counsel for the United Electrical Workers Union, an independent union several years ago evicted from the CIO because it was found to be Communist dominated. Thrice identified as a Communist at hearings before this committee, Donner was deceptively described in the foreword of the publisher as a "constitutional lawyer," and nothing else. I spoke of the millions of dollars available to Communist parties for propaganda purposes throughout the non-Communist world. This money comes from many sources, including not only dues contributed by the party faithful, and funds acquired from the public at large through solicitation at mass meetings staged by the party for ostensible causes through its front organizations, but also from Moscow directly, and lately, transmitted from Moscow indirectly through Cuba, which is now in fact the base of operations in this hemisphere for the international conspiracy, of which the local party is an integral part. And we have witnessed the open support given to Communist causes by certain wealthy persons within our midst, the Canadian-born Cyrus Eaton being most notable, pitiable misled persons who do not seem to apprehend that their persons and wealth, nurtured in free enterprise, are the first victims of communism.

A concerted drive, to pressure and influence the U.S. Supreme Court in its consideration of the petition for rehearing, will presently reach its apogee. Spearheading the activity is the Emergency Civil Liberties Committee in Support of the Victims of the Hollywood Blacklist, which will sponsor a rally at Carnegie Hall, New York City, on Friday, September 22. A mammoth rally following is planned for September 23 and 24, at St. Nicholas Arena, same city, which will be euphemistically titled a "National Assembly for Democratic Rights," at which an attendance of about 6,000 persons or more is hoped for, who will be asked to submit at that time a registration fee of $2 per person. Incidentally, this registration will form a convenient means for ascertaining sympathizers and developing mailing lists. The letterhead sponsors of the National Assembly for Democratic Rights presents the usual motley crowd—a few previously identified but not commonly known Communists, several fellow travelers and sympathizers, together with some quite respectable but perhaps uninformed persons who, I am quite sure, would be ashamed of themselves if they fully understood the objectives of the Communist Party to which they are lending support. Allied in this unfortunate activity, one also finds the American Civil Liberties Union, but this is not a matter for surprise. Where the honey is, the bees are sure to gather.

These rallies, by their literature, are addressed to "all trade unions, Negro peoples organizations, national group organizations, civic, fraternal, and community organizations, youth and womens organizations," and "to Americans concerned with the preservation of our democratic liberties." This form of address is typical. While good people talk of unity, the Communist seeks to fragment our people, to break down the population into groups which he anticipates may have particular dissatisfactions, actual or fancied, and whom he intends to victimize by the poison of Communist propaganda fed with the sugar of constitutional liberties. In accordance with

the instruction of Lenin, the Communist—by agitation on isolated issues involving these groups—is enjoined not to correct or reform, but on the contrary to "stimulate" in their minds the idea that the whole American political system is worthless. A divided people will not hang together, they will be hanged separately.

As in the Rosenberg espionage case, the immediate objective of Communist propaganda will be to obstruct the wheels of justice, and in the present instance to stampede the U.S. Supreme Court into reversing itself, or at least to delay the execution of the decision and the enforcement of the Internal Security Act. Concurrent objectives will be to swell the party treasury, to agitate against the American political system and its foreign policy, to recruit new members for the conspiracy and its front organizations, and generally to exercise the party organization. Through the instrumentality of the Communist press—from the time of the proposal of the Internal Security Act of 1950 and during the years of litigation involving it—the Communist Party leadership has communicated this program to its membership and sympathizers. A steady flow of articles on this subject appeared in the Worker, Peoples World, Political Affairs, Mainstream, Morning Freiheit, World Marxist Review—an international publication of the party—and others. In this effort, the hard-core press has been joined by its satellite press, the National Guardian, the U.E. News, the Dispatcher (ILWU), Mine-Mill Union, Russky Golos, and Glos Ludowy, to name but a few.

Having thus—and likewise, of course, at closed party meetings throughout the country—communicated the line to the faithful, the party continued in its familiar and orderly course, next activating and alerting its front organizations. These familiar fronts are paper organizations with deceptive liberal titles, organized and controlled by the secret revolutionaries, who, not revealing their identity, solicit non-Communists to lend their names and support. Propaganda activities are then conducted under such disguise through leaflets, paid advertisements, personal contact, and mass meetings. Lenin has described the front as a "transmission belt," that is, the means by which the underground conspiracy, while preserving its secrecy may establish communication with the masses. In his notorious document, "What's To Be Done," Lenin posed and in this way solved the difficult problem how to preserve the essential secrecy of the party's activities and membership and yet be able to maintain contact with the masses, and to transmit among them the brainwashing activity of propaganda and agitation. He then referred to the front as a "committee" which explains the habitual adoption of the word "committee" as an appendage of the Communist-front title. The American Committee for the Protection of the Foreign Born, the Emergency Civil Liberties Committee, and the Civil Rights Congress are but a few of the shifting scenes or countless fronts behind which the Communist Party has undertaken the effort to discredit the Internal Security Act, frequently by them termed the "McCarran Act"—but which in fact should be termed the "Wood Act."

To further obscure the basic Communist direction and control of front activity, the Communists have frequently set up fronts to mask fronts. These are usually letterhead organizations or ad hoc groups. Such for example was the Civil Rights Assembly, sponsored by apparently reputable people who, fronting for the fronts, sponsor or lend their names for particular mass meetings in which various fronts participate. These names give prestige, or the appearance of substance to the occasion, and serve as the vehicle for attracting a mass audience.

It is precisely because the Internal Security Act, in part, aims to control the deceptive front operations of the Communist Party that it has become an object of bitter and imperative attack. The registration and disclosure provisions of the act, an issue in the Communist Party case, constitute a congressional effort to control front deception. The act does not prevent the Communist from speaking, but establishes the means by which the speaker will be identified. This is not legislation aimed to suppress the free expression of ideas, however fraught with error they may be, nor does it curb debate. The Congress fully appreciates the importance of debate in the orderly evolution of a free society. We recognize that it is the abrasion that polishes the diamond. But we must not permit Communist dialectic to confuse the right of dissent with a right of betrayal. Deliberate deception methodically employed to advance the world Communist movement, is conspiracy. It is not the language of debate. The overwhelming majority of our people strongly demand the protection afforded them by the Internal Security Act of 1950, so that they may judge what organizations are entitled to their money or support. To the Communists I say:

> And this is the condemnation, that light is come into the world. For every one that doeth evil, hateth the light, neither cometh to the light, lest his deeds should be reproved. But he that doeth truth cometh to the light, that his deeds may be manifest.[1]

I am pleased to point out that the Internal Security Act of 1950 was the product of many years of intensive hearings and study conducted by the Committee on Un-American Activities and its predecessors. Legislation to counter the program of internal subversion presents complex problems, some of which we believe are basically solved in the Internal Security Act of 1950, as amended. These problems, both legal and practical, are of the utmost subtlety. As a free society, responding to ethical and constitutional inhibitions, we proceed in accordance with the tenor of our institutions.

Accordingly, the Internal Security Act of 1950 is not a police-State statute. On the contrary, it is designed to draw the Communists from the underground and from the ratholes into the light of day, so that our people may better judge and evaluate their activities, as Justice Frankfurter said, "against the revealed background of their character, nature, and connections." The registration and disclosure provisions of this statute, designed to promote and preserve the integrity of free speech, therefore serve to strengthen democratic processes.

Under sections 12 and 13 of the act, the Subversive Activities Control Board was established as a quasi-judicial body for the purpose of making certain determinations in relation to the requirements for registration of Communist organizations. Having reason to believe that the Communist Party of the United States was required to register under section 7 of the act, the Attorney General, pursuing procedures set up in the act, filed with the Board on November 22, 1950, a petition requiring that party to register as a Communist-action organization. After extensive hearings, the Board found that the Communist Party of the United States was an organization operating in this country under Soviet Union control, for the purpose of establishing a Soviet-type dictatorship in the United States, and was hence a Communist-action organization required to register as such.

The order of this Board, requiring the Communist Party of the United States to register as a Communist-action organization under section 7 of the act, was upheld by a majority of the Court consisting of Justices Frankfurter, Clark, Harlan, Whittaker, and Stewart. Dissenting—in which capacity they appear perhaps all too familiarly, particularly in cases of this type—were the Chief Justice, and Justices Black, Douglas, and Brennan. The majority opinion, luminous and powerfully expressed, written by Justice Frankfurter, is undoubtedly a monumental effort. I applaud the wisdom and ability of that learned jurist. This decision confirms the power of Congress to strengthen the national security by the adoption of this type of statute which, aimed principally to inform rather than to prohibit or punish, is representative of, as well as calculated to assist in preserving, a free society.

For its purpose, the Internal Security Act of 1950 classifies Communist organizations within the United States as either "Communist action" or "Communist front." A third category designated as "Communist infiltrated," is created by the Communist Control Act of 1954, as an amendment to the act. A Communist-action organization is that which is substantially directed, dominated or controlled by a foreign government or a foreign organization controlling the world Communist movement, and operates primarily to advance the objectives of the world Communist movement.

A Communist-front organization is that which is substantially directed, dominated, or controlled by a Communist-action organization, and is primarily operated for the purpose of giving aid and support to a Communist-action organization, a Communist foreign government, or the world Communist movement. A Communist-in-

[1] St. John, ch. 3, verses 19–21.

filtrated organization is that which is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 3 years have been actively engaged in, giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement, and is serving, or within 3 years has served, as a means for giving aid or support to any such organization, government, or movement, or the impairing of the military strength of the United States or its industrial capacity to furnish material support required by its Armed Forces.

Under section 13 (e) and (f) of the act, certain relevant and material evidential guidelines, segregated as to action and front groups, are laid down, but which are not exclusive, to assist the Board in reaching its determination as to the character of the organization. As will appear from a reference to this section, a just application of the detailed rules will leave no reasonable basis for error in the designation of the organization. Yet, of course, as one might anticipate, the section has been assailed by Communists as an adoption of the principle of "guilt by association," a phrase to which they have given currency if not meaning and respectability. The phrase, taken from the Communist smear vocabulary, is just another application of Communist semantics, in conformity with propaganda principles expressly laid down by Lenin, designed solely to obscure the issue and to foreclose reasoned discussion. The section above mentioned in reality is not limited to any one form of proof, but nonetheless guilt by association is, in fact, a most reliable form of proof—depending on how close the association may be. Familiarly known to the law as "circumstantial evidence," and accepted in both criminal and civil proceedings, it is recognized by the experts as a form of proof even more reliable, in certain instances, than a confession of guilt. The late Justice Jackson, in his concurring opinion in *Communications Association* v. *Douds* (339 U.S. 382, at 432f), had occasion also to note:

> However, there has recently entered the dialectic of politics a cliche used to condemn application of the conspiracy principle to Communists. "Guilt by association" is an epithet frequently used and little explained, except that it is generally accompanied by another slogan, "guilt is personal." Of course it is; but personal guilt may be incurred by joining a conspiracy. That act of association makes one responsible for the acts of others committed in pursuance of the association. It is wholly a question of the sufficiency of evidence of association to imply conspiracy.

Under section 7 of the act, each Communist-action organization required by a final order of the Board to register as such, shall, within the time limited, register with the Attorney General as a Communist-action organization. The statement accompanying the registration must contain the name of the organization and the address of its principal office; the name and last-known address of each individual who is, and was at any time during the 12 months preceding the filing of such statement an officer of the organization; an accounting of all moneys received and expended, including the sources from which received and the purposes for which expended during the 12 calendar months preceding, the filing thereof; the name and last-known address of each individual who was a member of the organization at any time during the preceding 12 months; and a listing of all printing presses or machines in the possession or control of the organization, or in which its officers and members have an interest. After the organization has registered, it must file an annual report containing the same information as is required in the registration statement.

The procedures and requirements of registration for Communist-action and Communist-front organizations are identical, except that the fronts need not list their nonofficer members. Communist-infiltrated organizations are not required to register with the Attorney General, but are under other sections of the act, as is the case with front and action organizations, required to label their publications or mail transmitted through the channels of interstate or foreign commerce, and to identify themselves in any broadcast by radio or television sponsored by them; and no deduction for income tax purposes shall be allowed in the case of contributions to or for the use of such organizations, nor shall such organizations be entitled to exemption from Federal income tax; and they are deprived of certain benefits under the National Labor Relations Act.

It is gratifying to note that the congressional findings which form the statement of necessity for the legislation, embodied in the preamble to the Internal Security Act of 1950, have received judicial recognition and sanction, and indeed have not been disputed by any of the nine Justices. Upon these findings which spring from investigations and study mandated to the Committee on Un-American Activities, Justice Frankfurter made the following observations:

> On the basis of its detailed investigations Congress has found that there exists a world Communist movement, foreign-controlled, whose purpose it is by whatever means necessary to establish Communist totalitarian dictatorship in the countries throughout the world, and which has already succeeded in supplanting governments in other countries. Congress has found that in furthering these purposes, the foreign government controlling the world Communist movement establishes in various countries action organizations which, dominated from abroad, endeavor to bring about the overthrow of existing governments, by force if need be, and to establish totalitarian dictatorships subservient to that foreign government. And Congress has found that these action organizations employ methods of infiltration and secretive and coercive tactics; that by operating in concealment and through Communist-front organizations they are able to obtain the support of persons who would not extend such support knowing of their true nature; that a Communist network exists in the United States; and that the agents of communism have devised methods of sabotage and espionage carried out in successful evasion of existing law. The purpose of the Subversive Activities Control Act is said to be to prevent the worldwide Communist conspiracy from accomplishing its purpose in this country.
>
> It is not for the courts to reexamine the validity of these legislative findings and reject them. See *Harisides* v. *Shaughnessy* (342 U.S. 580, 590). They are the product of extensive investigation by committees of Congress over more than a decade and a half. Cf. *Nebbia* v. *New York* (291 U.S. 502, 516, 530). We certainly cannot dismiss them as unfounded or irrational imaginings. See *Galvan* v. *Press* (347 U.S. 522, 529); *American Communications Assn.* v. *Douds* (339 U.S. 382, 388–389). And if we accept them, as we must, as a not unentertainable appraisal by Congress of the threat which Communist organizations pose not only to existing government in the United States as a sovereign, independent nation—if we accept as not wholly unsupportable the conclusion that those organizations "are not free and independent organizations, but are sections of a worldwide Communist organization and are controlled, directed, and subject to the discipline of the Communist dictatorship of [a] foreign country," section 2(5)—we must recognize that the power of Congress to regulate Communist organizations of this nature is extensive.

Moreover, unless we regard the dissent of Chief Justice Warren—which rested principally upon procedural grounds—as a suspension of judgment on the issue, none of the Justices has taken exception to the specific conclusion of the Subversive Activities Control Board which, after receiving voluminous evidence, pronounced the Communist Party of the United States to be a foreign-dominated organization, controlled by the Soviet Union, and operating primarily to advance the objectives of the world Communist movement. Justice Douglas, although dissenting on other grounds, accepted the specific findings of the Board, and said:

> The Subversive Activities Control Board found, and the court of appeals sustained the finding, that petitioner, the Communist Party of the United States, is "a disciplined organization" operating in this Nation "under Soviet Union control" to instill "Soviet-style dictatorship in the United States." Those findings are based, I think, on facts; and I would not disturb them.

Equally striking was the degree of unanimity with which the Court disposed of the first amendment objections to the statute. With the lone exception of Justice Black, who stood to the contrary, defiant and unbowed, none of the justices found the Communist Party defense on that basis attractive. In view of the congressional findings and the evidence laid before the Subversive Activities Control Board, it would seem that no other conclusion could sensibly be reached. Moreover, it would seem obvious that the registration and disclosure provisions of the statute, which were treated by the Court as separable from other provisions, and which were alone at issue, effected no denial of free speech, peaceable assembly or association by their terms, but required only that the speaker be identified.

For the majority, Justice Frankfurter made clear that:

> The present statute does not, of course, attach the registration requirement to the incident of speech, but to the incidents of foreign domination and of operation to advance the objectives of the world Communist

movement—operation which, the Board has found here, includes extensive, long-continuing organizational, as well as speech activity.

To state that individual liberties may be affected is to establish the condition for, not to arrive at the conclusion of, constitutional decision. Against the impediments which particular governmental regulation causes to entire freedom of individual action, there must be weighed the value to the public of the ends which the regulation may achieve.

Where the mask of anonymity which an organization's members wear serves the double purpose of protecting them from popular prejudice and of enabling them to cover over a foreign-directed conspiracy, infiltrate into other groups, and enlist the support of persons who would not, if the truth were revealed, lend their support, it would be a distortion of the first amendment to hold that it prohibits Congress from removing the mask.

For the minority—excepting Justice Black—Justice Douglas said:

If lobbyists can be required to register, if political parties can be required to make disclosure of the sources of their funds, if the owners of newspapers and periodicals must disclose their affiliates, so may a group operating under the control of a foreign power.

The Bill of Rights was designed to give fullest play to the exchange and dissemination of ideas that touch the politics, culture, and other aspects of our life. When an organization is used by a foreign power to make advances here, questions of security are raised beyond the ken of disputation and debate between the people resident here. Espionage, business activities, formation of cells for subversion, as well as the exercise of first amendment rights, are then used to pry open our society and make intrusion of a foreign power easy. These machinations of a foreign power add additional elements to free speech just as marching up and down adds something to picketing that goes beyond free speech.

These are the reasons why, in my view, the bare requirement that the Communist Party register and disclose the names of its officers and directors is in line with the most exacting adjudications touching first amendment activities.

Thus, although the first amendment was a relevant consideration, the court did not allow the tail to wag the dog. The first amendment is but one item in the bundle of constitutional liberties guaranteed to our people. All liberty will perish upon the demise of this Government which gives life to liberty and the first amendment its application. As the late Chief Justice Vinson said in *Dennis* v. *United States* (341 U.S. 494, at p. 509), a Smith Act prosecution, "if a society cannot protect its very structure from armed, internal attack, it must follow that no subordinate interest can be protected."

While the minority associates of Justice Black found no substance in the first amendment claim of the Communist Party—a claim which in relation to the facts would seem clearly contrary to reason and precedent—their well-known antipathy toward regulation of Communist activities was not to be entirely frustrated. They were nimble enough to erect the fifth amendment as an alleged constitutional barrier with plausible effect. Any port will do in a storm, I believe, is a classic and applicable comment. They argued that the order of the Subversive Activities Control Board requiring the organization, that is, the Communist Party, U.S.A., to register would conflict with the fifth amendment privileges of the officers who presumably would be responsible for completing the registration of the organization. This fifth amendment claim, which the minority asserts on the behalf of the officers of the organization, Justice Frankfurter correctly describes as premature. The order of the Board was against the organization and not against the officers. The organization cannot under existing law assert, as an organization, a privilege against self-incrimination which is reserved only to specific individuals who, in any event, are required themselves to claim its protection when the issue is presented.

Although Justice Black found no support among his colleagues for the first-amendment claim, he nevertheless persisted in his reliance upon this ground for striking down the statute, despite his strong dissent and seemingly contrary views expressed in *Viereck* v. *United States* (318 U.S. 236), which involved the Foreign Agents Registration Act of 1938, a registration and disclosure statute aimed at the Nazi Party. In that case, Justice Black wanted to jail Viereck, who had registered as a Nazi agent, but who, in a supplemental form required to be filed by regulations of the Secretary of State, refused to disclose information of political activities which were wholly on his own behalf and not on behalf of any foreign government. I do not think that this result can aptly be described as "libertarian" thinking. Indeed, the language of his dissenting opinion, in which Justice Douglas concurred, contained expressions which, in the light of present events, must now appear quite remarkable. I quote in part from his dissent in that case:

The general intent of the act was to prevent secrecy as to any kind of political propaganda activity by foreign agents. Both the House and Senate committees reporting the bill under consideration, declared it to be their purpose to turn "the spotlight of pitiless publicity" upon the propaganda activities of those who were hired by foreign principals. Appreciating that propaganda efforts of such a nature are usually conducted in secrecy they wanted to make full information concerning it available to the American public and sought by "the passage of this bill" to "force propaganda agents representing foreign agencies to come out in the open in their activities, or to subject themselves to the penalties provided in said bill." They declared that the purpose of the bill was to require all such hired agents to register with the State Department and to supply information about their political activities, their employers, and the terms of their contracts.

Resting on the fundamental constitutional principle that our people, adequately informed, may be trusted to distinguish between the true and the false, the bill is intended to label information of foreign origin so that hearers and readers may not be deceived by the belief that the information comes from a disinterested source. Such legislation implements rather than detracts from the prized freedoms guaranteed by the first amendment. No strained interpretation should frustrate its essential purpose.

I agree entirely with his general language in Viereck although I do not believe that it supports the specific result he reached; because in the Viereck case the statute required the registration only of persons acting as agents of a foreign principal and was not intended to authorize regulation or registration of activities on one's own behalf, and of course this was the majority conclusion from which Justices Black and Douglas then dissented.

Apparently, to Justice Black, Russian agents differ from Nazi agents in some esoteric respect not apparent or clearly comprehensible to me. The Viereck case survived to plague Justice Black in the Communist Party case. Unlike Justice Douglas who frankly considered himself bound by his concurrence in Viereck, Justice Black faced a dilemma if he chose to advance the first amendment claim in the Communist Party case, having rejected it in the Nazi Party case. He must either repudiate or distinguish Viereck. He chose the latter course and for that purpose urged that the Internal Security Act of 1950 was more than a registration statute, and further, he said that when Viereck "registered under the earlier and genuine registration statute, he was not to be branded as being engaged in an evil, despicable undertaking bent on destroying this Nation."

These distinctions I believe to be sophistical and unsound. In the Communist Party case the issue for decision was limited exclusively to the registration and disclosure provisions of the statute. These provisions were treated as separable by the court, and indeed the separability of the provisions was intimated by section 32 of the act. Therefore, as in the case of the Foreign Agents Registration Act of 1938, there was squarely before him a registration and disclosure issue only. Further, it was not accurate for Justice Black to state that Viereck was not branded by his registration. In fact he was, because registering as a Nazi agent was, in the temper of the time and our people, as evil and despicable as the registration of a Communist.

The real difficulty seems to be that Justice Black cannot disabuse his mind of the mirage that the Communist Party is just another "political party" similar, if you please, to the Republican and Democratic Parties, or the Socialist Party of Norman Thomas. Moreover, the language of his dissenting opinion in the Communist Party case indicates that he mistakenly equates the activity of the Communist Party with the revolutionary activities of our own Thomas Jefferson and other patriots. For example, he said:

I believe with the framers of the first amendment that the internal security of a nation like ours does not and cannot be made to depend upon the use of force by Government to make all the beliefs and opinions of the people fit into a common mold on any single subject. Such enforced conformity of thought would tend only to deprive our people of the bold spirit of adventure and progress which has brought this Nation to its present greatness. The creation of public opinion by groups, organizations, societies, clubs, and parties, has been and is a necessary part of our democratic society. Such groups, like the Sons of Liberty and the American Corresponding So-

cieties, played a large part in creating sentiment in this country that led the people of the colonies to want a nation of their own.

The father of the Constitution—James Madison—said, in speaking of the Sedition Act aimed at crushing the Jeffersonian Party, that had that law been in effect during the period before the Revolution, the United States might well have continued to be miserable colonies, groaning under a foreign yoke.

No doubt taking its cue from the above, the Communist Party in its open letter on the case published in the New York Times this June 22, found it advantageous, for its malicious purposes, to advance the same thought. The comparison is odious. John Hancock boldly affixed his hand to the Declaration of Independence. The Communist prefers to skulk in the shadows. The dignified and rational efforts of the American revolutionaries, who sought independence and civil liberty as an end by honorable means when other solutions to their grievances had been decently explored and exhausted, equated with the base and dishonest tactics of the Communist Party in the United States which seeks to enslave and by minority violence to yoke our people to a foreign master, employing degraded means to that end, is to publish such an absurdity as to say that the lamb and the wolf are equivalent because they are both animals.

Indeed, coming events do seem to cast their shadows before. The late Justice Stone, an eminent scholar and noted liberal, wrote to Professor Frankfurter, later Justice Frankfurter, some years ago when Justice Black had been on the Bench for only a few months and inquired:

Do you know Black well? You might be able to render him great assistance. He needs guidance from someone who is more familiar with the workings of the judicial process than he is. I am fearful though that he will not avoid the danger of frittering away his opportunity for judicial effectiveness by lack of good technique, and by the desire to express ideas which, however valuable they may be in themselves, are irrelevant or untimely. There are enough present-day battles of importance to be won without wasting our efforts to remake the Constitution ab initio, or using the judicial opinion as a political tract.[2]

I believe that Justice Holmes in *Frohwerk* v. *United States* (249 U.S. 204) provides a sufficient answer to Justice Black. Frohwerk was charged with conspiracy between himself and one Gleeser, who were then engaged in the preparation and circulation of a German newspaper in 1917, to obstruct recruiting, in violation of the act of June 15, 1917. Their offense was the publication of 12 articles to the general effect that the United States was in the wrong and giving false and hypocritical reasons for its course. In affirming the conviction, Justice Holmes declared—at page 208:

The first amendment while prohibiting legislation against free speech as such cannot have been, and obviously was not, intended to give immunity for every possible use of language. * * * We venture to believe that neither Hamilton nor Madison, nor any other competent person, then or later, ever supposed that to make criminal the counseling of a murder within the jurisdiction of Congress would be an unconstitutional interference with free speech.

Justice Holmes further pointed out, at page 210, that "the conspiracy is the crime, and that is one, however diverse its objects."

Mr. Speaker, I believe that what Justice Black, and indeed many others, fail to apprehend is that the Communist Party in the United States is a secret conspiratorial organization, a tentacle of the world Communist conspiracy, the corrupted speech of whose members is intertwined with and subservient to purposive action, tuned in concert at the direction and control of a foreign power which regards the United States as its enemy, and works ceaselessly toward the destruction of this free society, employing all means toward that end including espionage, sabotage, deceit, murder, terrorism and violence. These are not matters of mere individual "belief" or "dissent"—which, of course, the Communists would have us believe—but acts and conduct, a "ganging-up" that no civilized community can tolerate or endure.

This is the congressional finding. This is the evidence adduced before the Subversive Activities Control Board. This is what the Communists themselves denote the nature of their organization to be. For example, the Communist Internationale, December 1, 1933, early carried instructions to international party groups upon the basic principles of illegal work, and leaders were reminded that "conspiracy is a supremely organizational concept. If you hear complaints about the lack of conspiracy in the cadres of this or that party, it means that the party's system of work, of leadership, and of education of cadres are no good."

It should be clearly understood that Communist propaganda and agitation are not aimed toward the fulfillment of the democratic process of free and open discussion or the orderly evolution of our society. On the contrary, they are tactics employed in aid of Soviet imperialism, calculated not to improve or reform our free society, but to inspire internal disorder, to recruit adherents to the conspiracy, to create and strengthen revolutionary organizations preparatory to the seizure of political power which is to be accomplished not by constitutional means or at the ballot box, but by deceit and violence, and in that way to impose upon the majority of our people the will of a morbid and fanatic minority.

The function and mission of the Communist Party has been well summarized by the learned historian, Stefan T. Possony, professor of international politics at Georgetown University:

Conventional political parties are loose organizations designed to win elections. Communist parties are revolutionary, paramilitary, or military machines, designed for conflict, violence, and social fission. While Communist parties, like other political organizations, have patronage and election functions, they are primarily what Selznick calls combat parties or organizational weapons. Whether Communist parties are operating singly or in conjunction with other parties of a similar type, whether they operate openly or clandestinely, they are an integral part of the worldwide Communist military and nonmilitary effort.

The primary mission of the Communist armed forces is to defeat the armed forces of the non-Communist powers. The primary mission of Communist parties is to weaken and disorganize the rear of anti-Communist armed forces and to destroy their inner cohesion. While the specific mission of the Communist armed force, like that of any other armed force, is physical and military destruction, the broad mission of Communist parties (and their subsidiary organizations) is the political, social, economical, and psychological paralysis and fission of anti-Communist states and coalitions.

The specific functions of Communist parties can be divided into three broad categories: organization, deployment and operations.

* * * * *

(3) The operations of Communist parties may be divided into four broad categories: Intelligence, nonmilitary, paramilitary, and military activities.

(a) Intelligence operations: collection of information, transmission to local collection points, transmission to the political and military command posts of international communism, dissemination of misinformation and disinformation, and deception and double deception.

(b) Nonmilitary operations: agitation and propaganda, character assassination and building up of individuals, antimilitarism and defeatism, economic warfare, inclusive slowdowns, strikes, political warfare, inclusive elections and diplomacy, policy sabotage, subversion, disintegration of hostile organizations, and provocation.

(c) Paramilitary operations: retail sabotage, mass sabotage, individual terror, mass terror, demonstrations, coups de main, riots, and guerrilla undertakings.

(d) Military operations: auxiliary military missions, for example, scouts, couriers, signalmen, disobedience, desertion, rebellion, mutiny, breakoff of military units and their incorporation into revolutionary forces, attacks by revolutionary forces, partisan and irregular warfare, uprisings, local/nationwide, independently, or in support of Red army, civil war.

In addition to their main functions, Communist Parties devote great attention to the control of their members and their operations.

In fine, then, just as the Navy is the force waging naval warfare, the Communist Party is the force waging social fission warfare. To phrase it differently: The Armed Forces wage front warfare, the Communist Party, rear warfare. Together with the conventional military force, the Communist Parties, are integral parts of the Soviet conflict machine, components of a machine responsive to the nature and needs of modern total war, which consists of front and rear warfare. Not only with atomic weapons is this war fought but with military forces and social fission organizations. Modern war is a conflict between political structures and organized societies. The Communist Party is a machine designed for use in a war in which the front is everywhere.[3]

On June 5, 1961, concurrently with the decision in the Communist Party case,

[2] Quoted in Wallace Mendelson, "Justice Black and Frankfurter: Conflict in the Court," University of Chicago Press, 1961, p. 115.

[3] Stefan T. Possony, "A Century of Conflict: Communist Techniques of World Revolution," Chicago, Regnery, 1953, quoted in "The Communist Conspiracy," pt. I, p. 14 ff., H. Rept. No. 2240, 84th Cong., 2d sess., Committee on Un-American Activities.

the Supreme Court announced its decision in the case of Julius Irving Scales, whose conviction under the Smith Act as a "purposive and active member" of the Communist Party was affirmed. Scales was the chairman of the North and South Carolina Districts of the Communist Party in the United States. Among other things, he recruited new members into the party, promoted and advanced the education of selected young party members in the theory and practices of communism undertaken at secret schools, in one of which he was the director. At the school of which Scales was a director, students were told of the party program and necessity for placing Communists in key industrial positions. In Scales' presence, students at the school had been shown how to kill a person with a pencil, a device described as a handy weapon on a picket line, for one could, and I quote from the evidence, "just take the pencil and place it simply in the palm of your hand so that the back will rest against the base of the thumb, and then we were to take it and the person, and give a quick jab so that it would penetrate through here, and enter the heart, and then if we could not do that, we just take it and jab it at the base of the throat." Other evidence showed Scales made several statements and distributed literature containing implicating passages. Scales, for example, explained to one witness that the Communists in this country would have to start the revolution, and would have to continue fighting it, but that the Soviet Union would aid the Communist Party in this endeavor; and that "if the United States declared war on the Communists in their revolution, then the Soviet Union would land troops, and he said that would be a bloody time for all." Now, I pause to inquire. Is this the conduct of a "political party"? Is this discussion of "political affairs"?

It may be of interest to note that, with all this evidence before them, Chief Justice Warren and Justices Black, Douglas, and Brennan again dissented in the Scales case, just as they did in the Communist Party case, decided the same day. But in the Scales case, Justice Douglas based his dissent on the ground of the first amendment, which he now said prohibited Congress from outlawing "membership in a political party or similar association merely because one of the philosophical tenets of that group is that existing governments should be overthrown by force at some distant time in the future when circumstances may permit." Oh, Consistency! Thy name is not Douglas, nor is it Black. Justice Douglas had that very same day—in the Communist Party case—subscribed to just the contrary. I repeat, in part, what he there said:

> The Bill of Rights was designed to give fullest play to the exchange and dissemination of ideas that touch the politics, culture, and other aspects of our life. When an organization is used by a foreign power to make advances here, questions of security are raised beyond the ken of disputation and debate between the people resident here. Espionage, business activities, formation of cells for subversion, as well as the exercise of first amendment rights, are then used to pry open our society and make intrusion of a foreign power easy. These machinations of a foreign power add additional elements to free speech just as marching up and down adds something to picketing that goes beyond free speech.

On the other hand, Justice Brennan demonstrates how to kill two birds with one stone. Sharing the evident personal prejudices of his minority colleagues against legislation designed to control Communist activities, and seeking to impose these prejudices upon the Congress, he gave a curious and novel turn to his dissent in the Scales case. He found that section 4(f) of the Internal Security Act—which extended immunity to membership per se in the Communist Party—legislated immunity from prosecution under the broader membership clause of the Smith Act and suspended, although it did not repeal, operation of that clause. A reading of both acts will evidence the patent absurdity of this position, but nonetheless Justice Brennan thought that there "clearly" emerged from section 4(f) of the Internal Security Act "a congressional decision" to extend immunity from prosecution under the Smith Act clause. If this was so clear, I wonder why five other Justices did not see it. And he voided the Smith Act clause on the basis of the Internal Security Act, an act which he concurrently declared void. I must confess that I cannot follow this winding course. Nor would I understand how the Congress could presumably intend to void a live act by a dead one, and thus kill both.

Mr. Speaker, these are the issues and these are the facts. Now I do not believe that the fate or future of the United States hangs upon these decisions. But I do believe that the effort of Congress to provide a sound legislative base—carefully and fairly designed to insure the safety of our free society, in the due exercise of constitutional duty and prerogative—must not be frustrated either by undisciplined judicial veto or executive ineptness, especially in these days of challenge and crisis when powerful enemies within and without seek to bring us down. Even the mighty oak will fall by repeated chips taken from its sturdy trunk. Our courage, our patience and our wisdom will meet grim tests in the days that lie ahead. Our country stands as a beacon of humanity in troubled seas. This light must not fail. The byplay and sophistry of friendlier days is not appropriate to the hour. To preserve unto our people and all mankind the victories of the human spirit won for us by generations of good and brave men, is our noble and imperative task, and for that purpose we must keep strong the heart of America.

WHEAT LEGISLATION

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

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

There was no objection.

Mr. BREEDING. Mr. Speaker, today, I have joined with several of my colleagues in introducing a bill which will provide for permanent wheat legislation using bushels instead of acres as a means of limiting the quantity of wheat moving into the marketplace. This is the program developed and sponsored by the National Association of Wheat Growers, the National Grange, and the National Farmers Union.

We have seen the supplies of wheat gradually building up over the past few years, until now we have a supply more than double our needs for next year. Even with the reduced allotment in effect for the 1962 crop year, we have no absolute assurance that the carryover will be reduced next year. If we have average weather conditions, we could expect a reduction in production in 1962 as a result of the legislation recently passed by the Congress. But if we should have another bumper crop year like 1958, I seriously doubt if production will be reduced below demand. Only by changing over to bushel quotas can we be sure that wheat marketings will not exceed effective demand.

This bill is designed to provide for an orderly reduction in Commodity Credit Corporation wheat holdings at a rate of 100 million bushels, or more, each year by restricting the quantity of wheat available from producers for food and export. In addition, it will provide wheat producers with near parity prices for primary use wheat—wheat for food and export.

A national wheat requirement for primary use—estimated domestic food consumption and exports, less the quantity to be withdrawn from CCC stocks would be apportioned through States and counties to farms. Wheat could be processed into food products or exported only if certified to be—first, within the farm primary use share; second, purchased from CCC; or third, in the normal channels of trade on July 1, 1963.

In order to be eligible to market primary use wheat within a farm share, the producer would be required to retire tillable acreage equal to 10 percent of his wheat base acreage—as defined in the bill—without compensation. If a general land retirement program is in effect, the producer would be required to place 20 percent of the wheat base acreage in it to the extent funds available for such a program permit.

Price support at not less than 75 percent of parity would be provided as an aid to orderly marketing only on the farm share of primary use wheat. Wheat withdrawn from CCC stocks for primary use could not be sold by the CCC at less than parity.

The quantity of wheat to be withdrawn from CCC stocks each year is (a) 150 million bushels in 1963 and 100 million bushels in each succeeding year until desired level is reached, plus (b) one-half the quantity in excess of 450 million bushels exported as wheat or wheat products. Thus, if exports for 1963 were estimated to equal 1961 exports of 675 million bushels, the quantity to be withdrawn from CCC stocks in 1963 would be (a) 150 million bushels, plus (b) one-half (675–450) or 112.5 million bushels, or a total of 262 million bushels withdrawn.

This program has many advantages over the present acreage control program. First and foremost, it provides a mechanism for an orderly reduction in CCC stocks, and shifts the responsibility for storage of any surplus production from the Commodity Credit Corporation to the individual producer, thus resulting in significant savings to the American taxpayer.

Second, and almost of equal importance, it will encourage the production of higher quality wheat. Under present acreage programs, a producer has a market for all of the production on his allotted acres—either to the trade or the Commodity Credit Corporation. Thus his incentive is to produce the maximum number of bushels on his allotment. In contrast, under the bushel program, each producer has a limited number of bushels to sell into the market for food and export. Thus his incentive is to produce the highest quality possible in order to receive the most dollars for this limited quantity.

In a similar manner, since only a limited volume of wheat will flow through trade channels, warehousemen and subterminal operators will tend to select the highest quality possible to ship forward to mills or exporters. This would be a big step forward in upgrading the wheat moving into world markets, and thus increase demand for U.S. grown wheat.

These are benefits to the consuming public and to the taxpayers. This program is equally beneficial to our farmers. Under this plan, each producer can grow the crop best adapted to his individual farm, without artificially restricting the acreage of a single crop, and thus forcing the farmer to grow a crop on the balance of his land for which the land, or the producer's machinery, may not be so well adapted.

The only limitation placed on the wheat farmer is in the quantity which he can market, plus—and this is very important—a requirement that he retire at least 10 percent of his wheat base acres. The wheatgrowers have expressed a willingness to retire this acreage at no cost to the Government.

They do this because they realize the fallacy of the policy of limiting acreage of a single crop, and then planting the remainder of the land to a competing crop. Under this plan, the reduction in wheat acres will not be devoted to other feed grains, as has been the case in past years. In getting their own house in order, the wheatgrowers are anxious that they not create chaos in the markets of producers of other commodities. I might add that to my knowledge the wheatgrowers are the only commodity group to express a willingness to retire acreage without payment.

The other unique provision of this program is that the wheat producers are not looking to the Government to provide a market for their crop. All they are seeking is a means for self-control of marketings so that they can receive a fair price for their produce in the marketplace.

Mr. Speaker, I am firmly convinced that the wheat program provided in this bill is the ultimate answer to the perennial wheat problem.

FEDERAL RESERVE NOW FANNING FIRES OF BANK MERGER ACTIVITY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, last Wednesday, September 6, the Federal Reserve Board approved the merger of two New York banks—the Manufacturers Trust Co. and the Hanover Bank—to form the fourth largest in the world. This followed hard on the heels of the Comptroller of the Currency's approval the previous week of the merger of Continental Illinois Bank & Trust Co. with City National Bank & Trust Co. to create the largest bank in Chicago, and the ninth largest in the country.

Comptroller of the Currency Gidney's action opened the floodgates and tore asunder the so-called accord among the Attorney General, the Secretary of the Treasury, and the Comptroller of the Currency to hold up any new bank mergers pending the outcome of test cases in Philadelphia, Pa., and Lexington, Ky.

It is obvious that Mr. Gidney's action—taken in the face of opposition to the Chicago bank merger expressed by the Federal Reserve, the Federal Deposit Insurance Corporation, and the Attorney General—was the "break" the banks had been looking for. Apparently, the pressures shifted immediately to the Federal Reserve Board and two New York banks drove through approval by the Board of this new giant bank merger in New York.

FEDERAL RESERVE MAKES DECISION FIRST, GIVES REASONS LATER—IF EVER

Mr. Speaker, I have been doing some investigating in this matter and find that the Federal Reserve Board made its decision to approve the merger of these two New York banks without issuing any opinion or analysis showing why it concluded that the merger had no undue adverse competitive effects. Last Friday, two days after the merger was approved by the Board, I requested a copy of the Board's opinion and am deeply disturbed to find that it was not yet complete. I still have not received a copy.

Of course, occasionally courts issue opinions without supporting written or oral opinions, and then wait for a spell before issuing their full opinions. But here a serious problem is presented. I rather imagine that the antitrust division should see the reasoning upon which the Federal Reserve based its conclusion that this merger was not detrimental to competition. I imagine, too, that the antitrust division and the public would like to know why it is that the Federal Reserve could conclude that the merger of the two Chicago banks forming the country's ninth largest bank was bad for competition but that the merger of the two New York banks—to form the fourth largest bank in the world—had no such adverse effects on competition.

FEDERAL RESERVE ACTS BEHIND CLOSED DOORS

The strange fact is that the Federal Reserve Board has had the Manufacturers-Hanover merger under consideration since January of this year. Last May the Department of Justice notified the Federal Reserve that the merger might violate the antitrust laws. The Federal Reserve remained silent regarding its attitude toward the merger, but suddenly on Wednesday, September 6, after what the American Banker called "a surprise move following an all-day closed hearing at which leading officials of the banks urged support of the planned junction."

The Board approved the proposed merger.

To quote further from the American Banker:

> Appearing at the FRB hearings, behind closed doors were Horace C. Flanigan, chairman; Charles J. Stewart, president, and Dr. Gabriel Hauge, chairman, finance committee, all of Manufacturers; William S. Gray, chairman, and R. E. McNeill, Jr., president, both of Hanover, and counsel for both banks.

It is my understanding that representatives of the Antitrust Division were not invited to this hearing. Only the advocates of the merger—the banking officials vitally interested in seeing it approved were present before the Board. The meeting was closed to the public.

BANKS MERGE QUICKLY

Shortly after the hearing adjourned, and while the bankers were on their way back to New York City, the Federal Reserve Board issued its approval. Just as in the case of the Chicago bank merger the preceding week, the New York bankers acted swiftly to complete the merger before the Antitrust Division could act. This was graphically described by the New York Times of September 8 as follows:

> In addition, the banks undoubtedly moved swiftly to forestall any attempt by the Department of Justice to throw a roadblock in the way of the merger.

The Department of Justice made a last-minute effort to forestall the merger of the two New York banks, but was unsuccessful, just as it was in Chicago the previous week. According to the New York Times, September 10:

> The speed with which both Manufacturers and Hanover acted, plus the Chicago precedent, made it difficult, if not impossible, for the Department to step in to block the New York merger.

Thus, once again the sequence of events was repeated. A Government banking authority—this time the Federal Reserve Board—approved a major bank merger. The banks quickly moved to put the merger into effect. The Department of Justice sought to enjoin the merger. The banks pleaded that the restraining order had a deleterious effect. The Court permitted the merger to go ahead, and this morning another hearing is to be held, at which the banks must show why a temporary injunction should not be granted against the merger.

WHAT ARE THE FEDERAL RESERVE'S STANDARDS IN MEASURING COMPETITION?

I think it is fair to conclude from all that has gone on in the bank merger field for the past several years—and particularly in the past 2 weeks—that our appointed banking authorities really have little or no interest in preserving competition in the banking business. It is only with great reluctance that they examine into questions of competition when a merger is proposed.

I have challenged Mr. Gidney and asked for his resignation because it is clear that he favors monopoly in the banking business—not competition. Now I wonder what the position of Mr. William McChesney Martin is in this regard. What were the opinions of the other members of the Board of Governors? I understand a vote was taken regarding the Chicago bank merger among the Board members? How many voted in favor of the merger and how many opposed it?

What were the votes on the New York bank merger? How many of the Board members favored this, and how many opposed it? These facts have not been revealed to the public.

According to Washington Banktrends:

Even blase officials of this Government city were jolted with agency decisions permitting two big banks to merge all within approximately 10 days. The Reserve Board's approval of the Manufacturers-Hanover consolidation which was to be effective on Friday at 3 o'clock to possibly thwart action by Justice followed hard on the consolidation of the Continental-Chicago national banks. The latter won a delaying action through the courts. The New York merger was approved by the Reserve Board on September 6 and without revealing the names of the Governors who voted for or against it. There were dissents. Governor Robertson's record against such mergers is in evidence.

THE FEDERAL RESERVE SHOULD ISSUE OPINIONS TO THE PUBLIC

Mr. Speaker, I am very disturbed by the covert approach to these matters taken by the Federal Reserve and the Comptroller of the Currency. The public is entitled to know the facts and analyses on which they base their conclusions that one merger is bad and another one good. Government must operate in a goldfish bowl. The acts and decisions of Government officials are not above and beyond the scrutiny of the people. The Federal Reserve may feel that it is separate and apart from the Government. It may feel that it can operate like our big corporations—beyond the surveillance of the public. But this must be changed. The Federal Reserve is not a private club. It must act in the public interest. And its actions must be explained to the public. Secrecy has no place in the activities of the Federal Reserve.

Under the Banking Act of 1960, the Board of Governors is required to include in its annual report its approvals or disapprovals of mergers. There may be no statutory compulsion for the Board to issue well-documented opinions in regard to bank mergers at the time it makes its decision to approve or disapprove. But the Federal Reserve is a quasi-judicial body and I would think that, in the public interest, it should issue opinions at the time of handing down its decision on merger matters.

As a matter of fact, since there are seven members of the Board of Governors, there might even be majority and minority opinions issued in these matters. It is only through a full disclosure of the facts developed by the Board which led to its opinions that the public can know the standards of competition observed by the Federal Reserve.

STANDARDS FOLLOWED BY FEDERAL RESERVE IN CHICAGO MERGER

I have discussed at some length in the RECORD of September 6, beginning at page 18304, the way in which the Antitrust Division was checkmated by the approval of the Comptroller of the Currency in its attempt to get a temporary restraining order to forestall the Chicago bank merger. The Antitrust Division secured from the Board of Governors the Board's report on the competitive effect of the Chicago bank merger and submitted it into evidence in connection with the proceedings. However, although the Board's report constituted a strong prima facie showing, this was disregarded by the district court and the approval of the Comptroller of the Currency was the governing factor considered by the court in rejecting the Government's effort to hold up the merger.

Some significant facts were shown in the Federal Reserve report. The geographic markets served by the two merging banks were examined; competition between the two institutions was analyzed in terms of the trade each handled with individuals, partnerships, and corporations; the extent of the competition between them for correspondent bank deposits, and for deposits of U.S. Government and other public funds were considered. The Board found that there were 48 common borrowers of both institutions, with loans totaling $118.8 million in Continental and $23.2 million in City National. As the Board report points out, "of these related customers, seven had loans in amounts of $1 million or more from each of the banks and may be placed within the category of national borrowers."

The Board's report indicated that there were 379 common demand depositors with deposits of some $274 million in Continental and $67 million in City National. There were 1,200 common time depositors with deposits of $3.2 million in Continental and $2.8 million in City National.

After examining a wide variety of matters, the Board concluded:

The proposed merger of the second and sixth largest banks in the [Chicago] area would substantially lessen both existing and potential competition. As both banks serve similar clientele, the elimination of the smaller bank would remove an alternative source of competitive credit and deposit facilities as well as terminate its future capability for growth and enhanced competitive capacity. The competitive position of the applicant, already one of two dominant banks in the city, would be strengthened. As a consequence the preservation of effective competition in the area would be more difficult.

FEDERAL RESERVE REPORTS ON NEW YORK MERGER NOT AVAILABLE TO BE COMPARED WITH ITS REPORT ON CHICAGO MERGER

Unfortunately, we do not yet have the Federal Reserve Board's report on the New York bank merger, so we cannot make a direct comparison of the standards which were followed in the two cases. All we can do for the time being is wonder why on the one hand, the Board of Governors disapproved of a bank merger in Chicago establishing the ninth largest bank in the country, but approved one in New York setting up the fourth largest in the Nation and the world. We can only wonder why it is that the Board saw no deleterious effect on competition in a merger which, as alleged by the Attorney General, would result in an increase in concentration in the hands of the five largest banks in New York City from 70 to 75 percent of the total deposits for all banks in New York City and from 72 percent to 77 percent of the total commercial bank loans in New York City.

VEIL MUST BE LIFTED FROM FEDERAL RESERVE HEARINGS

Mr. Speaker, the Federal Reserve and the Comptroller of the Currency are issuing opinions on bank mergers which have great influence over the courts, and for all practical purposes, make virtually impossible the efforts of the Department of Justice to prevent the scrambling up of the business of the merging banks. As a result, the acquired bank will probably never be fully restored as an independent factor in competition. Hence, I make the following proposals:

First. Both the Comptroller and the Federal Reserve should hold open hearings in which oral argument is heard.

Second. The reports submitted by the examiners which form a basis for the conclusions reached by the Comptroller and the Federal Reserve Board should be made public.

Third. After a full hearing, where all sides may be heard, including the Department of Justice, the Comptroller or the Board should issue written opinions. Under Federal Reserve proceedings, the votes of the members of the Board should be recorded, and majority and minority opinions issued.

Fourth. The merger should be stayed for 30 days pending the filing of antitrust proceedings by the Attorney General where the Board or the Comptroller has given its approval.

This is a program which will remedy the current chaos and make it possible for the Antitrust Division to effectively invoke its injunctive powers. This is the only way that the public interest can be protected, for as Comptroller Gidney has acknowledged, it is virtually impossible to restore competition in the banking business by a divestiture, once the merger has been permitted to take place.

BETRAYAL IN THE CONGO

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Indiana [Mr. BRUCE] is recognized for 60 minutes.

Mr. BRUCE. Mr. Speaker, last week, meeting an invitation to appear as a guest on the radio program, "Capital Assignment," I made the statement that I would request an investigation by both the other body and this body of the Congress into developments that I consider tragic in the Congo. At that time I charged that the U.S. State Department by its incredible silence is acquiescing in the Communist takeover of the Congo.

I fully realize the seriousness of that statement. While I am a freshman in Congress, I have been a close observer of the national political scene as a newsman for many, many years, and I am fully aware of the pressure, the attacks, and the heat that come upon any individual, over the years, who dares raise the question of the failure of policy.

I make no charges of treason. I cannot prove any. I simply say that over a period of years the tragic growth of communism and its victories in one area after another of the world forms a consistent pattern.

As a newsman over the years, I heard the anguished voices of Congressmen, of Senators, the Members of this body on both sides of the aisle, raised in warning of events that were taking place in Poland, Czechoslovakia, Yugoslavia, Hungary, Laos, Cuba, and British Guiana. Back in Indiana we heard these voices, and even more deafening was the silence of those charged with responsibility.

It is too late to prevent the Communist takeover in Cuba. Yes, it is too late to prevent the Communist takeover in British Guiana. These are accomplished facts. Yet there were those in this House who on the matter of Cuba, while Fidel Castro was still in Mexico, rose in this Chamber and warned about him, about "Che" Guevara, about Raul Castro, about the motley crew of trained Soviet agents who were around Fidel Castro, and they were met with the silence of those in position to act.

It is no pleasure for me to stand here and push myself into this area. As I say, I am familiar with the attacks that have been made over the years against those who do this. But when I became a candidate for the Congress of the United States I did so with no reservations and with no limitations upon what one might be called upon to do in accordance with one's beliefs and principles.

I realize there is a frustration in talking about the situation when I do so after the regular order of business, because I would like to shout from the highest platform that the Congo is going into the hands of those who would destroy it. If this Communist takeover was inevitable I would not have risen today; but it is not. It is being done with the acquiescence of American leadership, of silence; it is being done with the tax dollars of American citizens, $32 million from the United States to support the Communist takeover in the Congo.

You say, "Oh, Congressman, you are excited." I am excited, and admit it. But it is a concerned excitement, an excitement that I cannot possibly describe without a real emotional display on my part.

Bit by bit we see a tide that is creeping ever closer to the shores of the United States. I do not minimize the crisis in Berlin—not for one second. I recognize that from the beginning of the setup in Berlin the risk of war was there, with the division that was taking place. It has been there consistently. It is still there today. Under that kind of setup, at any instant a war could develop. But, I also recognize and have recognized over the years the technique of diversion of the international Communist movement which with great deliberation centers our attention in one given spot and then moves elsewhere. Oh, what a beautiful operation. They did it in the seizure of China. They had our attention centered in one spot in Europe and they moved with the collaboration of Americans for the conquest of China.

What has all this to do with the Congo? My colleagues, it has everything to do with it because time is running out, if it is not too late already. We have 3 to 4 weeks at the most in which to change our disastrous policy in the Congo and prevent it from going into the hands of the Communists.

I know this pattern. I have watched it as a news commentator. It did not take any crystal ball to be able to predict what was going to happen in Cuba. I tried as one citizen with a microphone in front of me to warn in that area. Some people listened. I can do no less than at least raise a voice of warning in a release I have already given to every member of the Committee on Foreign Affairs of the House of Representatives on both sides of the aisle.

I am heartened by the action of the junior Senator from Connecticut in the other body, who on Friday of last week, the same day of my statement on the Mutual network program, issued a similar statement without any collaboration with me whatsoever and then who yesterday in the Senate introduced a resolution for the creation of a select committee of the Senate right now—not tomorrow, but now—to report back by January 2. His Senate resolution called for an appropriation of $75,000 to investigate the tragedy that is taking place in the Congo.

What are the facts? What is happening in the Congo? The New York Times of September 6 reported from the Belgrade Conference of Neutrals, and I use the term loosely, that Cyrille Adoula, the new Premier of the Congo, spoke out of both sides of his mouth at the neutralist conference.

While he was critical of the Soviet Union's resumption of atomic testing, he made it clear that he would follow the policies of the late Patrice Lumumba. In this sentiment he was joined by his deputy premier, Antoine Gizenga, who was former deputy to Lumumba and succeeded that Communist puppet in leading a Soviet-backed government in Stanleyville, in Oriente Province of the Congo.

Here we have the declaration of the man Adoula himself, placing his position on the world scene in a clear light. He will continue the policies of Patrice Lumumba.

Thus, we can only expect a Congo regime which will draw closer and closer to the Soviet bloc.

This is the regime the United Nations is supporting in its Congo operations—which operations are heavily financed by American money.

In the Congo, the U.N. has actively, by use of force, been attempting to crush the independent State of Katanga led by the pro-Western, Christian, Moise Tshombe.

Our State Department supports this U.N. policy, and so, once again, we see the spectacle where our money is used to destroy a leader who is Christian, pro-Western, and pro-freedom—in our camp—to build up and support a leader whose own words prove him to be in the pro-Soviet camp.

This morning's edition of the Washington Post on page A–11 carries a story with the heading "Tshombe Charges U.N. Fails To Protect Aides."

I quote from the article in the Washington Post:

ELISABETHVILLE, CONGO, September 11.—President Moise Tshombe of Katanga tonight claimed the United Nations plans to end the independence of his breakaway province before the opening of its General Assembly session September 19.

Tshombe told his second press conference of the day that "Katanga is the object of political maneuvering and even threats" by the U.N.

The Katangan leader called the conference as heavily armed Katangan patrols rumbled through the streets of Elisabethville in the face of mounting tension over a threatened showdown between the Katangan regime and the Central Congolese Government.

The threat developed as United Nations Secretary General Dag Hammarskjold prepared to leave New York Tuesday for Leopoldville at the invitation of the Central Government.

Tshombe claimed he had rejected a U.N. "ultimatum" to go to Leopoldville today or face "grave consequences."

Remember that statement, as I proceed, a little later.

The article reads further:

However, Conor O'Brien, chief U.N. representative in Katanga, told reporters he did not give an ultimatum to Tshombe but indicated it would be preferable if the President went to Leopoldville.

Tshombe said Katanga is willing to negotiate with Adoula's government anywhere except Leopoldville. Four Katangan legislators recently sent to the Congolese National Parliament in Leopoldville had not had their freedom guaranteed by the U.N. as promised, he said.

Two, he said, fled Friday to Brazzaville and the two others were believed to be hiding. Tshombe said his government has "energetically protested" to the U.N.

Now, as I pointed out, in the Congo, the pro-Western Methodist, Moise Tshombe, has consistently raised his voice in a plea to the Western World. He said, "I like you people; I like the West." But nobody listens. And I should remind you of a man by the name of Mikhailovich of Yugoslavia who was shot by the Communist partisan Tito after we betrayed him and others. Our State Department supports this U.N.

policy; and so, once again, tragically we see the spectacle where American money is used to destroy a leader who is a Christian, who is pro-Western, whose pro-freedom philosophy is evident to anyone, who is in our camp by declaration and by deed, where our money is being used to build up and support a leader whose own words prove him to be in the pro-Communist camp.

Mr. Tshombe has shown the world an administration of a state that reflects order and progress for over a year, during which period the Congo has flamed with unrest and disorder.

Since breaking with the Congo because its then leader, Patrice Lumumba, sought to aline the new Republic with the Soviet bloc, Katanga has drawn up its own constitution. It has its own flag. This next item is most important. Its currency is accepted for exchange in American banks and those of other nations. It has its own uniformed soldiers, and its own national anthem. Mr. Tshombe can put no law into effect alone. He needs approval of Katanga's Parliament. He has a Cabinet of 12 ministers and 4 secretaries. Katanga is equal in size to the total area of four independent African nations, three of them newly emergent from colonial rule—Ghana, Guinea, Senegal, and Liberia.

Did not the State Department recognize Senegal, the wealthy part of the former Mali Federation, when it sought and gained independence?

Now, what kind of a double standard are we operating on here?

It is probably one of the richest parts of the African Continent.

It produces annually about 8,200 metric tons of cobalt—60 to 70 percent of the world's output. Its annual output of copper, 300,000 metric tons, is 7.5 percent of the world's production.

In this regard, the Chicago Sun-Times editorialized on July 31, 1961:

> But the fact remains that Russia is on the verge of winning an important cold war victory by default. For if the Soviets extend their influence into Katanga, they will be in a position to control 70 percent of the world's cobalt supply.
>
> Radioactive cobalt is an important element in hydrogen bombs, thus potentially is the most lethal force on earth. It is also a valuable weapon in the medical world's fight against cancer. The nonradioactive variety is used for high strength steel alloys, used in conventional weapons, and for casings for missiles requiring tremendous heat-resistant qualities.
>
> While present U.S. stockpiles of the metal are held to be sufficient to meet foreseeable needs, the West should certainly do more than sit idly by while the Communists gain access to territory that can prove of immense strategic and political value to them. The world knows that Tshombe was anti-Communist from the beginning. He took Katanga out of the Congo Republic because he objected to attempts by the late Patrice Lumumba to draw the new nation into the Soviet orbit.

It is easy to see why Katanga is such a tempting morsel for the insatiable Soviet appetite. Reliable sources have published information that the Communist Eastern European Council for Economic Assistance—COMECOM—at its last meeting in Prague, April 11 to 22, 1961, decided to utilize the mineral resources of Katanga in the framework of the 5-year plan worked out for Czechoslovakia.

Is it not interesting that this Eastern European Council for Economic Assistance of Communist countries is already so sure of itself that it is including the Katanga output in the 5-year plan for Czechoslovakia? What would give them such confidence? What would make them so sure of the moves of the future?

What is not at all understandable is why the U.S. State Department should support the United Nations policy which seems must inevitably bring this rich state under the domination of the Soviets.

Secretary General Dag Hammarskjold had sent to the Congo as his personal representative the Indian, Rajeshwar Dayal. Dayal's policies in the Congo were highly questionable, and he became the man most hated by the Congolese outside of Patrice Lumumba's pro-Communist group.

After Lumumba had been assassinated, his successor, Gizenga, tried to enlarge the area under his control by force. Tshombe met force with force—but here Dayal showed his hand, by cracking down on Tshombe, but not the aggressive Soviet puppet Gizenga. President Kasavubu as well as Tshombe became fed up with United Nations operations in the Congo.

The Congo leaders assembled in March to try to prevent the complete disintegration of the Congo. They met in Tananarive in the Malagasy Republic—formerly Madagascar. These leaders, including Kasavubu and Tshombe, agreed upon a federation of states as the solution to the Congo problem.

At this point the American Government announced it would not support a confederation if it meant that the Congo would no longer be a single nation. It would be interesting to know why our State Department took this position. It always talks about respecting the desires of peoples emerging from their colonial days. Could it be, as the Indianapolis News on March 17 indicated, that the Department was once more not on the side of anti-Communist friends abroad? The News said:

> Indeed, if our policy had any semblance of reason, we would bend every effort to make the confederation succeed, because it represents a victory for the anti-Communists—a defeat for the Communists.

After our position was expressed in opposition to the agreed-upon federation of states in the Congo, strange intrigues set in, intrigues that demand investigation. Suddenly Dayal was withdrawn by the U.N. Secretary General, supposedly on temporary leave. But he did not return.

Then the U.N. moved more aggressively—ultimately taking the unprecedented step under questionable authority of seizing and arresting all the white advisers to Tshombe on August 28 and under the weight of such force pressured Tshombe to relieve these advisers of their duties. In a military operation, the New York Times of August 29 reported:

> A task force of Swedish and Indian troops commanded by Brig. Singappa Raja, of India, struck at Elisabethville, the capital, at dawn.
>
> They seized the airport, post office, telephone exchange and radio station, and raided army headquarters. Guards were posted at hospitals.
>
> Armored cars with heavy machine guns roved the streets.

The United Nations in action—it moved with brute force against the most peaceful state in the Congo. Never has there been a clearer example of the extent to which Soviet influence has penetrated U.N. operations.

I cannot say how, I cannot say why or what their program was or how they did it. But it has happened.

The U.N. is no longer just a debating society.

Sometime before this dastardly move on the part of the international organization supposed to be dedicated to peace, the American and U.N. policies had evidently forced President Kasavubu to change his position respecting Katanga's independence as an equal partner in a Congo confederation.

Kasavubu reneged on his Malagasy agreement with Tshombe and signed an agreement with the United Nations giving it the authority to force out of the Congo all foreign advisers not on Kasavubu's payroll.

The U.N. Security Council had passed a resolution calling for withdrawal of these foreign officers and advisers.

President Kasavubu took another step, one that shocked world opinion everywhere. Moise Tshombe of Katanga went to Coquilhatville, in Equator Province, for a political conference with Kasavubu. Tshombe condemned the agreement with the U.N. Kasavubu had signed and when he tried to leave the conference Kasavubu arrested him and charged him with high treason. This treacherous act was condemned everywhere outside the Soviet bloc. The New York Times May 9, 1961, editorialized:

> The United Nations has asked President Kasavubu to adhere to the principles of "fair treatment and due process of law" with regard to Mr. Tshombe. One can imagine what an uproar would have been created in many quarters if Premier Gizenga of secessionist Stanleyville had been similarly seized. The United Nations has the duty to insist on Tshombe's release.

Kasavubu released Tshombe, but not until many weeks had passed, and General Mobutu interceded personally in behalf of Tshombe with the weight of the army behind him.

Now, the situation has developed further.

Early in August, the United Nations pressured practically all Congolese politicians except Katanga's to agree to a new national government headed by Adoula, whose position, as I said, earlier, is to follow the policies of the late Soviet puppet Lumumba.

The Minister of Interior in Adoula's regime is Christopher Gbenye. He held the same post in Gizenga's pro-Communist government in Stanleyville. On

this point the Wall Street Journal of August 29 quoted one Western diplomat as saying:

I can't forget that the classic Communist strategy for subverting a country begins with control of the Interior Ministry.

Why is this? The Interior Secretary controls the police. He controls the police organization of the country. Give the Communists control of the police and you give them control of the country.

The junior Senator from Connecticut in his remarks made on Saturday made this statement, and these are his charges. He says that Gizenga is a cadre Communist. I did not go that far. I say there is a pattern. The junior Senator from Connecticut said that Gbenye is a Prague-trained Communist.

The junior Senator from Connecticut made that statement. Those are most serious charges.

I had said simply that there was a pattern here which was a repeat performance. I was familiar with the ultraleftist leanings of Gizenga and Gbenye.

Perhaps this is why our State Department did not want a federation with anti-Communist Tshombe as a powerful figure in the Congo. It seems to have preferred to help set up a regime that could be counted upon to be neutral, with a pro-Soviet coloration; one we American taxpayers can be expected to pitch in foreign aid to in order to keep it from going into the Communist camp. Yet it is being delivered to them lock, stock, and barrel.

Mr. Speaker, on July 10 the U.S. delegation handed the United Nations a check for $32,204,061 as the American contribution to the account for operations in the Congo from January 1 to October 31, 1961. Mr. Speaker, this would be unbelievable—absolutely unbelievable—action on the part of our State Department and the United Nations which our money has supported, if it had not happened over and over in the past, and if we did not know that Castro is getting money from the U.N. right now; if we did not know that the pink gentleman from British Guinea, Cheddi Jagan, had held his hand out and had it filled from the same source just before the recent election in British Guinea.

Mr. Speaker, over the years, as a newsman, I have heard the cry—I have read it in the Associated Press, the United Press, and newspapers from all over the country—of scattered individuals here in this body, and in the other body and elsewhere, raising the same question, "What is wrong in Foggy Bottom?" And I do not mean to be facetious. I simply say I ask the same question now. What is wrong in the State Department? Who? Why? And, for what reason?

Mr. Speaker, our distinguished colleague, the Honorable WALTER JUDD, after the loss of China, summarized our disastrous foreign policy in these succinct words:

We have been trying to make friends out of our enemies by making enemies out of our friends.

He was so right. It does not work. If I have a friend here, and there is a man over there who is my enemy, I do not walk up and hit my friend in the nose and say, "I am your friend." He would think I was a fool, and I would be. But this is what we have done time and time again in our foreign policy.

Mr. Speaker, the State Department, regardless of the administration in power and, oh, I get so amused in debates on the floor of the House where issues come up and I hear one side or the other refer to President Eisenhower's having said this or somebody saying President Kennedy said this, or President Truman said this. I do not care who said what. I am interested in what is happening. They can be wrong in all administrations. I say in the matter of foreign policies they have been wrong, and they are wrong. I want to know why, before it is too late for our children who soon will be adults, and will be bearing these responsibilities if they are given the opportunity.

It has not been Republicans. It has not been Democrats. It is an entrenched group that is never elected. They stay there. Administrations come and administrations go. Why these things happen, I do not know. I simply say that they do, and the time is past when we can sit silently by and wring our hands and issue white papers, as the State Department did on Cuba, and say things like: "Castro betrayed the revolution."

Nonsense. How can we say a Communist betrayed a successful Communist revolution? Cuba today is a Communist country. Castro led a successful Communist revolution in Cuba.

Yet, that is what the State Department said in its white paper—Castro betrayed the revolution. Oh, no. He betrayed the hopes of the people that they would have a better way of life, and a freer society. But he did not betray the revolution, because this was his plan for the revolution from the beginning. Do they not understand what communism is all about? Do they not understand the dialectics and semantics and the upside-down language—war is peace, black is white, negotiation meaning an extension or an instrument of war?

Cannot they understand this? Oh, the record is so long, it is so dismal, and I am so thwarted in trying to get the answer.

In 1933, going away back, we betrayed the Russian people by recognizing the Soviet regime as the legitimate government of that land whose fate it was to be but the first of a long list of nations to be conquered by the World Communist Movement. Voices were raised, but, oh, no—$90 million in trade. We had economic problems. Get the money flowing, boys; everything is going to be all right. Ignore the principle, ignore the plot, ignore the movement. Make a deal somewhere along the line. Take a palliative, take a sleeping pill, and you will feel better in the morning. But let us not fool ourselves. One of these mornings, when you get in the habit of taking these sleeping pills, you may not wake up.

In Teheran in 1943 we agreed with Great Britain and the U.S.S.R. to supply Tito and his Communist partisans with supplies and equipment to the greatest possible extent. This, in spite of the fact that the Minister of War of King Peter's Yugoslav government in exile was fighting on the lines, carrying on combat. General Mikhailovich was at the head of troops fighting in the field.

As a result, in 1946, the abandoned Mikhailovich was executed by the triumphant regime of Communist Tito.

The Yalta Agreement finalized the sellout of the Christian nation, Poland. You say, "You are digging up dead cats"? My friends, these dead cats are making a mighty big odor those days, a mighty bad odor. It is hard to live as the odor of Poland and Yugoslavia, Czechoslovakia, Latvia, Estonia, Rumania, and the rest of them seep through the sills of our windows. It is an unbearable stench, this tragedy of betrayal.

Why? I do not know, but let us find out. The Polish situation was so bad and so obvious that the American Ambassador to Poland, Arthur Bliss Lane, quit in 1947 and wrote a book called "I Saw Poland Betrayed." What happened? Did that book become a best seller? Did anybody listen? Was he welcomed with open arms for his patriotic position and sacrifice? No. "I Saw Poland Betrayed."

A deadly silence emanated from the State Department. The pattern of Yalta was carried out in Bulgaria and Rumania with the abandonment of the anti-Communist forces. There was the murder of Nikola Petkov, the respected Bulgarian leader. After the agreement our inaction was derided by the Communists themselves. We should draw a lesson from this. While we tried to woo them and make them our dear friends, they laughed at us.

Here is proof that the Communists are deadly serious about their deviltry. Here we have been shown up to be merely protesters, occasionally.

After the execution of our friend Petkov, the Communist Prime Minister, a man by the name of Georgi Dimitrov, in the Bulgarian National Assembly, boasted to his hearers—this is a Communist, and I shall quote him, speaking to the Bulgarian Assembly, after the Communist had just shot the pro-Western political leader:

You said the court will not dare to sentence him to death. It would be too horrible. Both Washington and London will rise against it. * * * What happened? * * * The court * * * fulfilled the will of the people and sentenced the traitor to death.

Then you said: If they execute the death sentence, the glass of patience will overflow. The whole world will rise against it, and all its wrath will fall on the back of the Bulgarian people.

It was executed.

What happened then? Who rose against it in the country? Where were the demonstrations, the mutinies with which we were threatened? Nothing like that happened.

And what happened abroad? * * * No one raised a hand in defense of Petkov. Some people in the West shouted for a while, but soon quietened [sic] down. * * * The whole incident was soon forgotten ("Cold War and

Liberation," John F. O'Conor, Vantage Press, New York City, p. 174).

Could anything be more clear, could anything be more tragic? They knew that for some reason there would be no action from the West, only a few weak words.

We all know the story of China. People like Owen Lattimore and others advised us through the medium of which I was a member, of radio, of television, of the press, certain areas—and let us accept our blame—that Mao Tse-tung was not really a Communist at all, just an agrarian reformer; that, after all, that nasty Chiang Kai-shek could not be tolerated; that this Mao Tse-tung was different; he was ready to free the people from their tyranny. Our State Department sold that line. China was lost to the Communists and the Korean war was fought, and every casualty, every drop of blood that was shed in Korea you can draw back to the failure of policy in China itself.

The then Secretary of State in February of 1949 told Members of Congress the solution of China's problems would have to wait "until the dust settled." That same Secretary when asked about that remark by the Senate Foreign Relations Committee on June 2, 1951, in hearings on The Military Situation in the Far East, stated on page 1765:

> As I recall, what I was trying to say at that time was that I could not see clearly as to what the outcome in China was going to be until, as my phrase was, "until the dust settled"; that is, until the situation had become more clear.

I am still quoting, and note these words:

> It was not a policy which I was advocating. It was a phrase which I used to describe my own inability to see very far in this situation.

What a statement to make; what a confession to make—our Secretary of State. This is what I am saying when I said, "I am not charging treason." I cannot prove anything like that. I am charging a heartbreaking repetition of the failure of policy time and time again. While the State Department could not see very far, or saw with tinted glasses, many reliable voices warned our Government about the dire consequences of its action and what they would be, but the State Department continued to favor the agrarian reformers like the modern Castro. "He is not a Communist," they said, "he is just an agrarian reformer."

General Marshall went to China to force the Nationalist government to accept the Chinese Communists in a coalition government. That was the official policy of the United States of America. When it was too late, the policy was reversed. Chiang was on Taiwan; Mao Tse-tung was in control on the vast mainland of China. When it was too late, we admitted our error, but not until the Communists were assured of victory.

The Communists were quick to act in Korea when they were told, in effect, that Korea was outside the defense perimeter of the American forces protecting Japan.

Secretary Acheson told the Press Club in Washington January 12, 1950, as reported in the State Department Bulletin, January 23, 1950, page 116:

> I can assure you that there is no intention of any sort of abandoning or weakening the defenses of Japan and that whatever arrangements are to be made, either through permanent settlement or otherwise, that defense must and shall be maintained.
>
> The defensive perimeter runs along the Aleutians to Japan and then goes to the Ryukyus. The defensive perimeter runs from the Ryukyus to the Philippine Islands.

That excluded Korea, and the Communists were quick to move there. They attacked 6 months later.

TAKE A LOOK AT INDONESIA

I know Sukarno is coming to visit and I should not say anything nasty about him. In Indonesia we sent weapons to Sukarno to help put down a Moslem insurrection that was caused by their fear of Communist influence in the National Government. Recently Sukarno in Moscow expressed his hope for long life for the Soviet regime in the U.S.S.R.

One could go on for hours and hours and hours and shed bitter tears over freemen that have become slaves. We could use all kinds of rhetoric. We could cite illustration after illustration.

We could go into Tibet, to China, or Castro's Cuba, Laos and what may be coming up in Vietnam, and what has happened in British Guiana and all of the European captive states—not satellite states but captive states, like Czechoslovakia, Rumania, Latvia, and East Germany and so on, one after the other.

Now it is not too late in the Congo. Not right now. The same pattern is being repeated again; a man whom the junior Senator from Connecticut says is a Prague-trained Communist is imposed upon the Congolese as interior secretary; Gizenga, who the junior Senator from Connecticut says is a cadre Communist, as deputy premier. Adoula, a leftist neutralist—and that is different from being neutral—is in the premier's spot.

Do we not ever learn? I beg the members of the Foreign Relations Committee, and the Foreign Affairs Committee of the House of Representatives—I beg anyone and everyone in this Chamber to lend their influence toward raising a cry that an investigation, not necessarily of subversion but of a repetition of failure of policy, be carried out right now in regard to the Congo. It cannot wait until next year. The time for action is now, not when it is too late. I beg my colleagues to listen—now.

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

Mr. BRUCE. I am glad to yield to my colleague.

Mr. ROUSSELOT. Mr. Speaker, I rise to associate myself with the remarks of my colleague, the gentleman from Indiana, and to compliment him on the research job he has done on this critical Congo problem that faces our Nation. I know the gentleman from Indiana is aware of the desperate need in this time for our American foreign policy experts to understand how we can best support a true ally within a given country, or how we can refuse to support individuals who by their past performance turn out to be enemies. May I ask the gentleman from Indiana if he has discussed this carefully gathered information with the State Department? The seriousness of this particular problem is well known to many and I wish to know what the State Department response might have been?

Mr. BRUCE. I have not personally discussed this. I have spoken with people who have, however.

Mr. ROUSSELOT. These people that you spoke with, would you consider them to be experts in this particular problem?

Mr. BRUCE. Of the Congo?

Mr. ROUSSELOT. Yes. Did these happen to be people from the Congo?

Mr. BRUCE. Yes.

Mr. ROUSSELOT. And what did these gentlemen from the Congo tell you has been the response they received from the State Department when they tried to point out these problems in the Congo?

Mr. BRUCE. The reaction generally was—our policy, present policy, in the Congo was correct and was not to be changed.

Mr. ROUSSELOT. In other words, our policy was one of supporting the extreme leftist point of view?

Mr. BRUCE. Well, of course, I would say to the gentleman from California, those terms are not used in such a discussion. It was simply an expression that present policy was correct and they just did not see any reason to change it at this time.

Mr. ROUSSELOT. In other words, our State Department told these gentlemen Tshombe was not necessarily a friend of ours; or how did they discuss this?

Mr. BRUCE. I would sooner reserve the answer to that question for use at a later time, if the gentleman from California will grant me that privilege.

Mr. ROUSSELOT. I would be glad to do so.

Let me ask just one more question. Did the State Department express any concern that the Katanga Province which does have such a large portion of the supply of cobalt, a very critical material in the manufacture of hydrogen bombs and other types of weapons—did the State Department not express any concern to these Congolese visitors that possibly this particular province could go into the Communist orbit?

Mr. BRUCE. I do not believe that particular question regarding the mineral assets was under discussion.

Mr. ROUSSELOT. I wish to compliment the gentleman from Indiana who has devoted his life not only in the short time that he has been here, but in the time that he served in the news communication field, to the important problem of understanding the Communist threat to this country. Further, I am aware that the gentleman from Indiana has studied the number of instances that the Communist conspiracy has been successful in influencing our U.S. foreign policy. I wish to thank him for bringing this particular problem to light, especially showing us there is time to reverse

the disastrous direction of events that are now occurring in the Congo. I wish to compliment him for his very forceful and resourceful presentation here today.

Mr. BRUCE. I thank the gentleman from California.

I would like to make this observation, that at no time in this discussion have I referred to a Communist conspiracy in our Government. I have referred only to a failure of policy, and I suggest that it is the responsibility of the proper committees of the Congress to pursue it on this basis. If it leads elsewhere, that is something else again.

Mr. ROUSSELOT. Let me say this. I appreciate the fact that you did not refer to the Communist conspiracy in our Government. I was the one who referred to it. I personally feel that on many occasions our foreign policymakers have shown a tremendous lack of understanding of what the Communist conspiracy is and what it is doing. So, if you did not say it, I do.

Mr. BRUCE. Well, if you are going to put it in that terminology, I will have to accept it. If you refer to failure of policy, which has been repeated over and over again, such as I have cited in my presentation, then I would certainly have to agree. But, as far as describing it within circles of our own Government, as part of the Communist conspiracy, in the absence of any factual proof, names, times, places, and dates, I would have to reserve myself from that particular aspect.

Mr. ROUSSELOT. Certainly our policy has greatly contributed to the Communist cause in a great many cases.

Mr. BRUCE. I would have to agree with the gentleman from California.

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

Mr. BRUCE. I yield to the gentleman from North Dakota.

Mr. SHORT. Mr. Speaker, I, too, want to commend the gentleman from Indiana for raising his voice. As he has pointed out, too few people have taken the time or taken the interest, for some reason beyond my understanding, to raise their voices on this very question. You have done a great service to the American people in attempting to apprise them of the current project of the Communists in the colonies. This sorry situation is going on because we are preoccupied with the Berlin crisis. I do not mean to depreciate the seriousness of the Berlin crisis and its potential, but I happen to believe that Premier Khrushchev understands the American people and their frame of mind at this particular time well enough to realize that the United States will stand its ground in the Berlin situation. And, Mr. Khrushchev is enough of a realist, I believe, to recognize that the implementation of hostilities in Berlin could trigger off an atomic war that neither the Soviet Union nor the Western World could win. If we do not keep abreast of what is going on in the Congo, we are setting the stage for the firm establishment of a Communist beachhead in Africa which could be as tragic for the future of Africa as the establishment of a beachhead in Cuba can be and I fear will be for Latin America.

Again I thank the gentleman for yielding.

Mr. BRUCE. I am certainly grateful to the gentleman for his penetrating analysis.

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

Mr. BRUCE. I yield to the gentleman from Iowa.

Mr. GROSS. Let me also commend the gentleman for the excellent presentation he has made. I would like to ask the gentleman this question. I was here most of the time during the gentleman's presentation, but did he mention Nkrumah of Ghana?

Mr. BRUCE. No; I did not refer to Nkrumah of Ghana as such.

Mr. GROSS. To my mind he is one of the worst dictators in the African area. I would hope that the gentleman at some future time would include him in a further presentation.

Mr. BRUCE. I would say to the gentleman from Iowa that there are so many areas in this connection that it would take an entire night to detail them. I do certainly have strong reservations about Mr. Nkrumah.

I am interested most vitally in this Congolese situation because if we do not act quickly but allow ourselves to be diverted, we are drawn away from what we ought to do immediately in the Congo. This comes first. I think we ought to look at all these areas. I have had reliable people call in my office and tell me to forget Africa, it is gone. I will not agree to that until there is not one vestige of liberty left in the continent of Africa.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. BRUCE. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. I not only want to commend the gentleman for the effort he has put into this, because he knows all the implications of it for himself, but I also want to thank him very earnestly. For many years I have been working as well as I know how to work in the anti-Communist field, and I have wanted very much a spokesman for a small group who would really move in. Now that we have an exponent over in the other body perhaps if we help from this end we can get immediate action.

I know as does the gentleman that time is of the essence. We have been slow. The people just do not listen, and then they laugh it off, and then they say: "Oh, she's just a little mad." I have heard that for over 30 years, and it is very gratifying indeed to have listened this afternoon to your very clear, very unemotional presentation of a situation which may mean the entire result of the world's history.

I thank the gentleman very much.

Mr. BRUCE. I certainly am grateful to the gentlewoman from Ohio, one of the most respected Members of this body, and I believe a member of the Foreign Affairs Committee of the House of Representatives, for her most kind remarks.

Mr. Speaker, at this point I wish to insert the full text of the editorial in the Indianapolis News of March 17, 1961, to which I referred earlier. I yield back the balance of my time.

IS THIS WHAT YOU WANT?

American foreign policy has had many low points over the past two decades: Yalta, the fall of China, mute complicity in the torture of Hungary, the subversion of Cuba.

But for sheer folly, and for flagrant disservice to American interests, this week's performance must rank somewhere near the bottom of the list.

To begin with, the United States has taken no action to back the faltering confederation of states achieved a week ago in the Congo—a step which alone offers hope of rescuing that area from communism. Instead, our Government announces it will not support the confederation if it means the Congo will cease to be a single state.

Why? What is the compulsion to force these diverse ethnic groups into a single government? What happened to the revered principle of self-determination? If a confederation as separate states is what these anti-Communist leaders want, why should we take it upon ourselves to oppose them?

Indeed, if our policy had any semblance of reason, we would bend every effort to make the confederation succeed, because it represents a victory for the anti-Communists, a defeat for the Communists.

The stark truth of the matter is this: Our policy is devoted to doing whatever the United Nations wants; the United Nations is devoted to doing whatever the neutralists want; the neutralists are devoted to doing whatever the Communists want.

By that process of graduated submission, our own policy is made an instrument of Communist strategy. We are in effect destroying ourselves, our anti-Communist allies, and the cause of freedom.

If this indictment seems too harsh, consider two other items in the week's news concerning Africa:

It has been acknowledged, even by such liberal journalists as Stewart Alsop, that U.N. forces in the Congo are working to promote the pro-Communist elements, and to subvert the pro-Western government of President Kasavubu. The principal agent of the pro-Communist cause has been Rajeshwar Dayal, the Indian military chief of the U.N. mission.

Which side is the United States assisting? "The U.S. Air Force," reported UPI 2 days ago, "proceeded with plans to fly the first tough Gurkha warriors from India into the Congo despite protests of Congolese President Joseph Kasavubu." In short, we are actively supporting the cause of our enemies against our friends.

A vote in the U.N. Security Council Wednesday presented a clear-cut confrontation of East and West. A motion was proposed against America's stanchly anti-Communist ally, Portugal, concerning the Portuguese territory of Angola. The motion was prepared by "neutralists" and supported by the Soviet Union. What did the United States do? It joined the Communists in voting against its own anti-Communist ally.

The outlines of American policy under the Kennedy regime are thus becoming frighteningly clear: We destroy those who would help us, and help those who would destroy us.

At this rate—unless the American people wake up soon, and flood their Government with protests—it should not be long before communism absorbs all of Africa, and our disheartened allies in Europe and Asia give up the struggle altogether. Is that what

you want? If not, why not let your Senators, Congressman, and President Kennedy know your feelings?

TOO LONG DELAYED

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia.

There was no objection.

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert in the CONGRESSIONAL RECORD an editorial appearing in the New York Journal of Commerce on September 6, 1961, entitled "Too Long Delayed," setting forth the strong moral, if not actually the strong legal, obligation the United States has to complete payment of the unpaid balance of war claims approved by this country in the Philippine Rehabilitation Act of 1946.

The United States is giving away billions to uncommitted nations, many of which, while not enemies of this country, consort with and give aid and comfort to our enemies in the great power struggle now going on to determine whether mankind will go down the road to freedom or tyranny. In such circumstances it is difficult to believe that this Nation would fail to honor its obligations as set forth in this excellent editorial.

The strong justice of these claims commends itself to us, as does the vigorous and courageous friendship, unflinchingly portrayed, by the people of the Philippine Republic and their leaders, outstanding among whom is the Ambassador of the Republic of the Philippines, the Honorable Carlos P. Romulo. General Romulo is a distinguished friend of freedom who, since long before the days of his service in this Congress, has been a constant spokesman to the world in America's behalf, and a true friend to all who seek liberty, freedom, and self-determination.

It would appear that these deserving claims should be met at an early date, if not from the compelling justice in them, then as a return for the friendship so richly given without reservation or cavil by our friends, the people of the Philippines.

The editorial follows:

TOO LONG DELAYED

In view of the vastness of the foreign aid programs the present and previous administrations have managed, by one means or another, to steer through Congress, it seems odd to us that so many legislative and other difficulties invariably crop up when Congress is called upon to authorize funds to pay what we owe to one particular foreign country—namely, the Philippine Republic.

Something on the order of $73 million is owed in all good conscience by this country to the Philippines, not in terms of foreign aid, but in compensation for damage done to the Philippines during World War II, when that land was a territory of the United States and as such, suffered heavily under the Japanese occupation and from warfare conducted both by American and Japanese forces.

Representative ZABLOCKI, of Wisconsin, has introduced a measure authorizing the payment of this sum in full. It does not represent any increase in Philippine war damage claims against the United States—but merely payment of the unpaid balance of such claims as were approved by this country under the Philippine Rehabilitation Act of 1946.

The present difficulty is not that a majority of either House of Congress opposes the Zablocki bill. It is—as has so often been the case in the past with such measures—that Congress is getting so preoccupied with the single issue of adjournment that the measure is in danger of being lost in the shuffle.

Many good and deserving measures have thus been lost in the past with the result that only later, when the legislators have returned home and had time for a certain amount of reflection, have the consequences of their omission become evident.

What would the consequences in this case be? It might be argued that it would merely be to postpone a decision which is practically inevitable, the nature of the American people and its Government being what it is. But to postpone a decision is, in effect, to make a decision. Or, as the Philippine Ambassador, Gen. Carlos P. Romulo quietly remarked recently, "justice delayed is justice denied."

Justice, in this instance, has been much too long delayed. As Gen. Douglas MacArthur remarked 2 months ago on his return from a visit to the Philippines, "there is a strong undercurrent of feeling (there) in its relative dealings with the nations of the world the United States has tended to overlook to some extent the needs and necessities and even the just claims upon us of the Philippines. The restitution of the damage inflicted by our forces which was, of course, necessitated by the exigencies of war, has not received adequate compensation, especially when compared with the lavish grants made to nations proclaiming neutrality and even to former enemy countries of Germany and Japan."

This newspaper understands perfectly well the compelling considerations underlying the foreign aids given neutrals and former enemies, and it has supported these aids in the main as essential to national security as well as to the welfare of society generally.

The United States tends to look ridiculous, however, when its legislators sit down solemnly to enact general foreign aid measures running into the billions—merely because such appropriations are very large—while neglecting strong moral commitments merely because their dollar count is relatively small.

This is neither the right way to legislate nor the right way to conduct foreign relations. Nor is it the right way—in a purely selfish sense—to promote the best interests of the United States itself.

After all—what nations, now neutral or semihostile—will be drawn any closer to the United States in times of stress by the all too obvious evidence of the difficulty Manila is having in collecting the war damage claims which Washington itself admits is owed to the Philippines?

Would they do better to remain neutral, or at least aloof from the United States when the chips are down, as they could be at almost any moment from now on? The Filipino people didn't think so. Are they now to be rewarded with conclusive evidence that they guessed wrong? And if so, can we expect that in a future emergency there will be many others who will guess what we would like to call "right"?

EMERGENCY FEED GRAIN PROGRAM

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. FOUNTAIN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia.

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, in March of this year, I voted for the proposed 1961 emergency feed grain program. This vote for the proposed program was made because I was firmly convinced that we had to take some action to stop the buildup of Government stocks of corn and grain sorghums. Also, I felt that the farmers producing corn and grain sorghums wanted a program to reduce the Government stockpile and which would eventually bring better prices and higher income for their efforts. I was convinced in my own mind that a continuation of the program developed by the previous administration for unlimited acreage and guaranteed support prices was a bad program and would result in more acreage, larger production, more Government stocks, more Government expenditures and less income to farmers.

The feed grain program provided for reduced acreages in order to qualify for price support and payments to compensate for the loss in income as a result of the reduced acreages. I felt that the payment feature was good; also since corn would be taken out of Government stocks and sold to reimburse CCC for the payments made.

All of us like to feel that decisions we have made were right. After reviewing the September crop report I am fully convinced that my vote for the feed grain program was in the best interest of the farmers and in the best interest of all our people. Many of the opponents of the feed grain program may ask, Why and how have you reached these conclusions? My reasons are:

First. It is true that the feed grain program has resulted in 13 million acres less corn for grain and 4.4 million acres less grain sorghum being planted this year.

Second. Corn and grain sorghum yields are the highest on record.

Third. These high yields are attributed to unusually favorable weather conditions and not to additional use of fertilizer or the planting of the best land. This can be proven by the increase in the soybean yield which increase is greater on a percentage basis than either corn or grain sorghums.

Fourth. With these favorable weather conditions resulting in abnormally high yields, the total production of corn and grain sorghums without a feed grain program probably would have been 700 million bushels more corn and 183 million bushels more grain sorghums.

Fifth. This potential excessive supply would have served as a burden holding down prices on farmers' production and Government stocks for years to come.

Sixth. If this much more had been produced, the majority of this additional production would have gone into Government stocks.

Seventh. The ultimate costs of each bushel of corn in Government stocks for

handling, storage, interest, and transportation is $1.10.

Eighth. Net farm income will be increased because of the program.

Ninth. Government costs will be less by an enormous amount from which they would have been without a program.

I am glad that I supported the feed grain program and also thankful to our Maker for the favorable weather conditions that will result in more income for our farm people.

THE EMERGENCY FEED GRAIN PROGRAM

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Iowa [Mr. SMITH] is recognized for 15 minutes.

Mr. SMITH of Iowa. Mr. Speaker, I wonder how many realize that a five-vote margin in the House this year on the emergency feed grain bill saved the taxpayers from being obligated to support every bushel of a nearly 5-billion-bushel feed grain crop at about $1.06 per bushel. When the administration early this year proposed the 1961 emergency feed grain program, its objective was to first improve farm income and second, to reduce Government costs.

The September crop report clearly indicates that these two objectives have been fully achieved.

Farm income will be increased as a result of payments through the program and will be boosted additionally by the high yields achieved through favorable growing conditions.

At the same time, Government costs will be reduced tremendously—even more than originally estimated, as a result of the feed grain program.

Had there not been a feed grain program, the production of corn and grain sorghums would have been far in excess of the high production achieved in 1960. This enormous production would have added to the stocks of grain in the Commodity Credit Corporation. A poll of genuine farmers in Iowa indicated they would have increased acreage of both corn and soybeans by 10 percent had the emergency program not been passed. These increased Government stocks would have resulted in increased costs to the American taxpayer. Under the 1961 program, this has been greatly reduced.

Had it not been for the feed grain program, all corn and grain sorghums produced would have been eligible for price support. But under the feed grain program only the corn and grain sorghums produced on participating farms will be eligible for price support and the Government will not have any obligation to farms where acreage was not reduced.

And the price support will be limited on such farms to the average production in 1959 and 1960 on the acreage involved. This assures that the Government will not be financing any increased use of fertilizer on these individual farms where more fertilizer than needed for average production was used.

Near perfect growing weather is combining with the Nation's vaunted agricultural technology to set some of the highest production yields in the history of farming.

The September crop report of the U.S. Department of Agriculture indicates that major field crop production will show per acre yields beyond levels which 5 years ago could not have been imagined. Only in the high plains area where drought conditions still remain serious has farm productivity suffered.

In practically every other section of the country, weather conditions have been the major factor in pushing acreage yields to record levels in corn, grain sorghums and soybeans. Even poorer land is pushing out about as large a crop as rested land. This can happen only when just about the exact proportion of moisture is combined with minerals in the soil.

In Iowa, for example, corn produced for grain is estimated to average 73 bushels an acre, an average 9.5-bushel increase in per acre yield as compared to 1960 figures. The increase over the 10-year 1950–59 average annual yield figures is more than 17 bushels per acre.

Illinois shows an increase in per acre production of 8 bushels, raising the average yield per acre to 76 bushels as compared to 68 bushels in 1960. This represents a similar 17 bushel per acre increase over the 10-year average.

In the major corn-producing areas, the average increase in per acre yield varies from 3 in Ohio to 10 in Missouri. It is obvious that had we not changed the corn program, we would have been seeing predictions of a near 5 billion bushel feed grain crop with the Government obligated to support every bushel at about $1.06 per bushel. Huge storage costs would follow.

Grain sorghums show the same effect with the average increase in per acre yield estimated now to be 4.2 bushels per acre. It is a good thing for the taxpayers that the bill passed by a five-vote margin and thus the acreage is reduced. The big spenders of 1961 were those who opposed the 1961 emergency feed grain program.

In soybeans the same sharp rise in productivity has increased per acre yield estimates an average 3 bushels over 1960 figures.

The increase in productivity and the rise in farm income which will follow as a result can be credited principally to the helping hand of the weather. The shift from beans to corn under the 1959–60 corn program had caused the carryover of soybeans to become so low that a bad crop year would have endangered our ability to hold our markets. We need a good crop of soybeans.

The September estimates which saw corn production jump almost 3 bushels per acre over the August crop estimates can be credited only to weather as the use of fertilizer or any other piece of manmade technology could no longer be applied to improve production. Fertilizer is applied no later than June.

A further indication of this booming assist from nature is the fact that corn and soybeans, both of which are grown in the same major areas, have both shown impressive increases in per acre yields. Soybean acreage was increased while corn acreage was reduced. However, soybean yield shows a higher percentage increase over 1960 futures—13 percent as opposed to 11 percent—which would indicate that weather, rather than better land and increased fertilization, has played a major role.

In addition, the increase in per acre yield between July—when the use of fertilizer drops sharply—and September cannot be credited to the quality of land since it did not change.

There is little doubt, then, that had there been no new feed grain program passed which reduced acreage, for 1961, the cost to the Government for a record crop under the program that would have been in effect would have been higher than at any time in history. It bears out the statements that the estimate of savings which will result from the 1961 feed grain program are very conservative.

The program in effect in 1959 and 1960 would still be in effect had we not passed the 1961 Emergency Feed Grain Act.

With every rise in production the savings from the feed grain program will increase in comparison to the program in effect in 1959 and 1960 which supported all corn raised without limitation on acreages. Farmers could even break up new land or put the whole farm into corn production and secure Government price supports on the increased production.

It is estimated that farmer cooperation in the feed grain program this year alone will save the taxpayers at least $500 million. This is the difference between the estimated $500 million cost of the program, and the estimated $1 billion cost if the Government had continued to add to its stocks the grain that would have been produced on the diverted acres. I believe this estimate of savings for the taxpayers is low.

As for farm income, happily the U.S. Department of Agriculture has been given a tremendous boost by favorable weather conditions this year in its effort to increase the cash return to the farmer.

The crop report issued yesterday indicates good weather will play an important part in boosting the farm income to corn and other feed grain producers, as well as soybean producers.

This crop report indicates the average yield per acre for corn will be 60.4 bushels, which is 6 bushels per acre better than the 1960 yield, and approximately 16 bushels per acre above the 10-year average yield.

The yield for grain sorghums will be 44 bushels per acre—4.2 bushels better than last year and 20 bushels per acre higher than the 10-year average yield.

At the same time the yield of soybeans has been increased 3 bushels per acre over the 1961 production and 5 bushels per acre over the 10-year average. The soybean acreage also has been increased by 3½ million acres over 1960 and approximately 9 million acres over the 10-year average.

These increases in yield per acre are directly attributable to improved weather conditions this year.

The higher yield, the increased income, the lower Government costs under the feed grain program in a good weather year all add up to a happy picture in 1961—a picture of hard labor and wise planning smiled upon by a beneficent Providence.

MISS AMERICA OF 1962

The SPEAKER pro tempore. Under previous order of the House, the gentleman from North Carolina [Mr. TAYLOR] is recognized for 15 minutes.

Mr. TAYLOR. Mr. Speaker, this is indeed a pleasant occasion for me. I feel honored and proud that one of my constituents has been selected as Miss America of 1962. She is Miss Maria Beale Fletcher, a 19-year-old Asheville citizen who held us breathless during the final tense moments of the Miss America contest at Atlantic City. She is a beautiful, talented, and queenly American girl, and I wish that I could place her picture in the CONGRESSIONAL RECORD.

Maria Fletcher is the daughter of Mr. and Mrs. Beale Fletcher of Governor's View Road, Asheville, N.C., who are among our leading citizens and operate a dancing school. Maria learned to dance almost before she learned to walk. I first saw her sing and dance on top of a table at a State convention of a North Carolina business group when she was only 7 years of age. Her first award came that year, and she has won 14 talent awards in contests sponsored by various civic clubs in Asheville. She has been outstanding on the local level for her singing, dancing, personality, and charm, and for her courteous manner and fine influence on other young people.

Maria Fletcher was a fine student, having finished A. C. Reynolds High School in Buncombe County near Asheville, in 3 years with an average grade of 93. Her high school principal stated to me that she is humble, thoughtful, a wonderful young lady, outstanding in every way and that he expected her to win.

When asked by the contest master of ceremonies what was the greatest problem facing our Nation today, she replied sincerely and eloquently:

> I feel that the greatest problem facing our country today is making other foreign nations realize that we seriously mean what we say when we say that we are all for peace and that everyone here is hoping and praying for it all the time.

A former Radio City Rockette, she hopes to enter college later and to eventually make the entertainment world her career.

North Carolinians are celebrating and rejoicing. Maria Fletcher has brought great recognition to the Tar Heel State as she has to herself and I am confident that she will reign as Miss America with honor and dignity, and be a great inspiration to other young people throughout our Nation.

I congratulate Maria Fletcher and offer her my sincerest esteem and admiration. The hearts of North Carolinians everywhere will follow her throughout her eventful days as Miss America of 1962.

Mr. Speaker, I ask unanimous consent that all Members of the House who desire to do so be permitted to extend their remarks at this point in the RECORD.

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

There was no objection.

Mr. SCOTT. Mr. Speaker, as the Representative of only one congressional district out of many in the United States, I join my colleagues in proud and appropriate recognition of a representative of America, Miss Maria Beale Fletcher, the selected, titled, and crowned Miss America of 1962.

While watching the contestants in last Saturday night's pageant, as they demonstrated their fine talents in the several test categories, it occurred to me that beauty may often be more than skin deep. Physical beauty alone did not bring these young ladies to the pageant's finals. And it is upon her fine qualities of character, intelligence, talents, and achievements that I would congratulate our new Miss America. To have been singled out and chosen as No. 1 among many possessing these values is indeed an honor. Attendant upon the honor is the serious responsibility of representing the ideals and aspirations of American young womanhood, and this I am confident she will meet. I join in wishing her a successful and happy reign, and in gratefully acknowledging the distinction she has brought to our great State of North Carolina.

Mr. LENNON. Mr. Speaker, North Carolina is justifiably proud of the attainment of Miss Maria Beale Fletcher in her selection as Miss America of 1962. She typifies the Miss America pageant theme—"The All-American Girl"—with her beauty, charm, graciousness, intellect, and talent.

Miss Fletcher was coached for this pageant by a constituent of mine, Mrs. Hannah Block, a councilwoman of Wilmington, N.C. The city of Wilmington has, therefore, additional pride in the accomplishment of Miss America.

All of us who represent the Tar Heel State here in the Congress take pleasure in expressing the hope that Members of the Congress may have the opportunity to meet this attractive young lady as she travels throughout our Nation during her reign.

Mr. KORNEGAY. Mr. Speaker, I arise to take this opportunity to heartily commend my distinguished colleague, Congressman ROY A. TAYLOR, for calling this important matter to the attention of the House. It is a privilege to join with all of my fellow North Carolinians in expressing pleasure and pride over the fact that one of our fair fellow citizens has attained the great honor and distinction of being selected as Miss America for 1962.

I should also like to point out that Miss Maria Beale Fletcher was chosen as Miss North Carolina at the North Carolina Beauty Pageant held in my hometown of Greensboro. As a former member of the junior chamber of commerce for 11 years, I am proud to say that the pageant was sponsored by the Guilford College Junior Chamber of Commerce. The pageant took place in our beautiful and modern and spacious coliseum in Greensboro—one of the finest facilities of its kind in America.

It is a pleasure to commend the Guilford College Junior Chamber of Commerce for the splendid job they did in promoting the beauty pageant and for the selection of such a wonderful candidate for the Miss America crown as Miss Fletcher.

All Tar Heels are understandably jubilant over having this beautiful and talented young North Carolinian representing the United States of America as the epitome and pride of young womanhood, and we are confident that she will wear her crown with great dignity and distinction and will well deserve the plaudits and prestige which this position carries.

Mr. WHITENER. Mr. Speaker, I join with my distinguished colleague from North Carolina [Mr. TAYLOR] in paying tribute to a very lovely North Carolinian, Miss Maria Beale Fletcher, Miss America of 1962. While North Carolinians take particular pride in her accomplishments today, I am confident that all Americans will have the same pride in this young lady as they get to know her during her reign as Miss America.

Those of us who were privileged to witness by television the ceremonies in Atlantic City last Saturday night saw many young ladies of outstanding talent and beauty. Each of them represented their particular States with great dignity, character, and ability. Only one could be selected as Miss America. The fact that each of the contestants was outstanding in her own right makes the selection of our own "Miss North Carolina" even more impressive.

The answers given to the questions propounded to this young lady were thrilling to all of us. Particularly we were pleased with the very splendid statement which she made in response to the serious question presented to her. Congressman TAYLOR has already quoted her answer. I commend the young lady for her understanding of the real problem of today and the proper attitude which Americans should take in meeting that problem of preserving world peace.

Mr. Speaker, I also salute the parents of this young lady for the excellent training which they have given to her. The guidance which they have given during the 19 years of her life has paid big dividends to them, their daughter, and to our Nation.

Also I would like to commend the North Carolina Junior Chamber of Commerce for its sponsorship of the Miss North Carolina pageant, as well as many local pageants which led to the selection of Miss Fletcher as the representative of the Tar Heel State in the national competition. It was my privilege to serve as president of the North Carolina Junior Chamber of Commerce several years ago, and I have had an abiding and continuing interest in its program of service to our State. In paying tribute to Miss America of 1962 we also pay tribute to the Jaycees of North Carolina who gave many thousands of hours in the development and presenting of the local and

State beauty pageants which resulted in the selection of such a splendid representative of our State in the Miss America competition.

In the Washington Evening Star of September 11, 1961, the brief story by the Associated Press sets forth some of the facts with reference to this lovely young lady. I include it as a part of my remarks at this point in the RECORD.

MISS AMERICA HOPING FOR CAREER AS STAR

NEW YORK, September 11.—The Nation's newest dream girl started happily today along the year-long path she hopes may lead to a glowing career in the entertainment world.

It was in this show business center that Maria Beale Fletcher—the newly crowned Miss America—received her first glare of the bright lights.

The 19-year-old North Carolina beauty was a member of the Radio City Music Hall's famed Rockettes last year before she returned to her Asheville home to spruce up for the Miss North Carolina contest.

She was still sprucing today, but this time it was to prepare for her reign in the Miss America role that she won over 54 other beauties at Atlantic City, N.J., Saturday night.

The brown-haired, hazel-eyed Miss Fletcher will spend a month here, much of it in selection of a wardrobe suitable for her queenly proportions. She stands 5 feet 5½ inches tall, weighs 118 pounds and measures 35-24-35.

HONORED, THRILLED

Miss Fletcher said she was "very, very honored and very thrilled" at winning the Nation's oldest beauty title.

And the photographers didn't bother her a bit, she said.

"I think all of us are blessed with a little bit of ham. I have just a little bit more than most. I don't mind smiling at all."

Her parents, Mr. and Mrs. Charles Beale Fletcher, both dancing teachers and former professional dancers, were present for her triumph.

"That made it so much more real and wonderful," she said. "I've envied them so much."

Maria, an accomplished dancer, won her first talent prize at the age of 7. She said she would like to use the $10,000 scholarship she won in the Miss America pageant to study in some field of entertainment, possibly at the Pasadena Playhouse in California.

TO GET $75,000

Besides the scholarship, she will get about $75,000, plus expenses, for personal appearances during the year. Her first one will be at the Air Force Association Convention in Philadelphia September 22-23.

Miss America has two sisters, Margaret, 17, and Bonnie, 10, and a brother, Walter, 9, who watched the pageant on television at Asheville.

She has "romantic interests, but not in one specific place."

"I'll be interested in marriage when the right boy and I get together and decide we're ready for marriage," she said.

Mr. Speaker, North Carolina is proud of Miss America of 1962. I am sure that those whom I am privileged to represent in the Congress share my pride in the accomplishments of our lovely neighbor from the 12th Congressional District of North Carolina.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mr. THOMPSON of New Jersey (at the request of Mr. DANIELS) for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FEIGHAN, for 30 minutes, tomorrow, September 13, 1961.

Mr. SMITH of Iowa, for 15 minutes, today and to revise and extend his remarks and include extraneous matter.

Mr. TAYLOR (at the request of Mr. BAILEY), for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. WALTER and to include extraneous matter.

Mr. ASPINALL the remarks he will make today during consideration of H.R. 9076 in the Committee of the Whole, and to include certain pertinent material.

Mr. POAGE in two instances.

Mr. ANDERSEN of Minnesota his remarks in the House today and to include extraneous matter.

Mr. CANNON to revise and extend the remarks he made in the Committee of the Whole today and include extraneous matter.

Mr. BOLAND to revise and extend the remarks he made in the Committee of the Whole today and include extraneous matter.

Mr. EDMONDSON.

Mr. BECKER to revise and extend his remarks on H.R. 9076 in the Committee of the Whole today and include letters.

Mr. EVINS (at the request of Mr. BAILEY) to revise and extend the remarks he made today on the bill H.R. 9076 and to include therein extraneous matter and tables.

(The following Members (at the request of Mr. SHORT) and to include extraneous matter:)

Mrs. MAY.

Mr. KEARNS.

(The following Members (at the request of Mr. BAILEY) and to include extraneous matter:)

Mr. COOLEY.

Mr. TOLL.

Mr. FASCELL.

Mr. GARMATZ.

Mr. CAREY.

Mr. MORGAN.

SENATE BILLS, JOINT RESOLUTION, AND CONCURRENT RESOLUTION REFERRED

Bills, a joint resolution, and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1274. An act for the relief of the widow of Julian E. Gillespie; to the Committee on Foreign Affairs.

S. 1761. An act to amend the act of March 3, 1901, relating to divorce, legal separation, and annulment of marriage in the District of Columbia; to the Committee on the District of Columbia.

S. 2488. An act to increase the number of apprentices authorized to be employees of the Government Printing Office, and for other purposes; to the Committee on House Administration.

S.J. Res. 132. Joint resolution extending recognition to the International Exposition for Southern California in the year 1966 and authorizing the President to issue a proclamation calling upon the several States of the Union and foreign countries to take part in the exposition; to the Committee on Foreign Affairs.

S. Con. Res. 40. Concurrent resolution authorizing the printing as a Senate document of the 40th biennial meeting of the Convention of American Instructors of the Deaf, and providing for additional copies; to the Committee on House Administration.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker pro tempore:

H.R. 176. An act to amend section 331 of title 28 of the United States Code so as to provide for representation on the Judicial Conference of the United States;

H.R. 2816. An act for the relief of Chief Warrant Officer James M. Cook;

H.R. 2883. An act to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment, and for other purposes;

H.R. 3606. An act for the relief of William C. Winter, Jr., lieutenant colonel, U.S. Air Force (Medical Corps);

H.R. 3863. An act for the relief of Woody W. Hackney, of Fort Worth, Tex.;

H.R. 4369. An act for the relief of Henry James Taylor;

H.R. 4458. An act to authorize the Secretary of the Interior to replace lateral pipelines, line discharge pipelines, and to do other work he determines to be required for the Avondale, Dalton Gardens, and Hayden Lake Irrigation Districts in the State of Idaho;

H.R. 4669. An act to amend the law relating to gambling in the District of Columbia;

H.R. 5182. An act for the relief of Charles P. Redick;

H.R. 5559. An act for the relief of Ralph E. Swift and his wife, Sally Swift;

H.R. 6667. An act to amend the act of August 16, 1957, relating to microfilming of papers of Presidents of the United States, to remove certain liabilities of the United States with respect to such activities;

H.R. 6996. An act for the relief of Harry Weinstein;

H.R. 7264. An act for the relief of M. C. Pitts;

H.R. 7447. An act to amend the Strategic and Critical Materials Stock Piling Act to provide for the immediate disposition of certain waterfowl feathers and down;

H.J. Res. 109. Joint resolution designating the 17th day of December 1961 as "Wright Brothers Day"; and

H.J. Res. 499. Joint resolution authorizing a celebration of the American patent system.

SENATE ENROLLED BILLS SIGNED

The SPEAKER pro tempore announced his signature to enrolled bills of the Senate of the following titles:

S. 200. An act to amend the act entitled "An act relative to employment of certain adult Indians on or near Indian reservations," approved August 3, 1956;

S. 279. An act to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems;

S. 1528. An act to increase the relief or retirement compensation of certain former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force; and the U.S. Secret Service; and of widows and children of certain deceased former officers of such forces, department, or service;

S. 1529. An act to amend the act entitled "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, as amended;

S. 1653. An act to amend title 18, United States Code, to prohibit travel or transportation in commerce in aid of racketeering enterprises;

S. 1719. An act to amend title 23 of the United States Code with respect to Indian reservation roads;

S. 1762. An act to regulate the practice of physical therapy in the District of Columbia;

S. 1768. An act to provide for the restoration to Indian tribes of unclaimed per capita and other individual payments of tribal trust funds;

S. 1807. An act to authorize the disposition of land no longer needed for the Chilocco Indian Industrial School at Chilocco, Okla.; and

S. 2241. An act to donate to the Jicarilla Apache Tribe of the Jicarilla Reservation, N. Mex., approximately 391.43 acres of federally owned land.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1021. An act to extend for 2 years the definition of "peanuts" which is now in effect under the Agricultural Adjustment Act of 1938;

H.R. 2877. An act to authorize the Director, Office of Civil and Defense Mobilization, to approve a financial contribution for civil defense purposes to the State of Oklahoma;

H.R. 6302. An act to establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the university, and for other purposes;

H.R. 6309. An act to amend title VI of the Merchant Marine Act, 1936, as amended, in order to increase certain limitations in payments on account of operating-differential subsidy under such title;

H.R. 6732. An act to amend the Merchant Marine Act, 1936, as amended, to encourage the construction and maintenance of American-flag vessels built in American shipyards;

H.R. 6969. An act to amend title 39, United States Code, to increase dependency and indemnity compensation in certain cases;

H.R. 6974. An act to amend section 607(b) of the Merchant Marine Act, 1936, as amended;

H.R. 7043. An act to extend to employees subject to the Classification Act of 1949 the benefits of salary increases in connection with the protection of basic compensation rates from the effects of downgrading actions, to provide salary protection for postal field service employees in certain cases of reduction in salary standing; and for other purposes;

H.R. 7622. An act to repeal sections 1176 and 1177 of the Revised Statutes of the United States relating to the District of Columbia;

H.R. 8406. An act to further amend Reorganization Plan No. 1 of 1958, as amended, in order to change the name of the office established under such plan, and for other purposes;

H.R. 8466. An act to authorize the construction of a railroad siding in the vicinity of Taylor Street NE., District of Columbia; and

H.R. 8719. An act to amend the act of July 28, 1947, chapter 301, as amended, to extend for 2 years the authority to make temporary appointments and promotions in the U.S. Coast Guard.

ADJOURNMENT

Mr. BAILEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 29 minutes p.m.) under its previous order, the House adjourned until tomorrow, Wednesday, September 13, 1961, at 10 o'clock a.m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORGAN: Committee on Foreign Affairs. H.R. 9118. A bill to establish a U.S. Arms Control Agency. without amendment (Rept. No. 1165). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee of conference. H.R. 8102. A bill to amend the Federal Airport Act so as to extend the time for making grants under the provisions of such act, and for other purposes (Rept. No. 1166). Ordered to be printed.

Mrs. NORRELL: Committee on Post Office and Civil Service. H.R. 6695. A bill to amend title 39 of the United States Code with respect to the transportation of mail by highway post office service, and for other purposes; with amendment (Rept. No. 1167). Referred to the Committee of the Whole House on the State of the Union.

Mrs. NORRELL: Committee on Post Office and Civil Service. H.R. 8565. A bill to permit certain Government employees to elect to receive compensation in accordance with section 401 of the Federal Employees Pay Act of 1945 in lieu of certain compensation at a saved rate, and for other purposes; without amendment (Rept. No. 1168). Referred to the Committee of the Whole House on the State of the Union.

Mr. JAMES C. DAVIS: Committee on Post Office and Civil Service. H.R. 7377. A bill to increase the limitation on the number of positions which may be placed in the top grades of the Classification Act of 1949, as amended, and on the number of research and development positions of scientists and engineers for which special rates of pay are authorized; to fix the compensation of hearing examiners; and for other purposes; with amendment (Rept. No. 1170). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANE: Committee on the Judiciary. H.R. 6759. A bill for the relief of the Prince Georges County School Board, Maryland; without amendment (Rept. No. 1171). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALTER: Committee of conference. S. 2237. A bill to permit the entry of certain eligible alien orphans (Rept. No. 1172). Ordered to be printed.

Mr. LANE: Committee on the Judiciary. H.R. 8741. A bill to amend the act of April 29, 1941, as amended, to authorize any Federal agency to waive performance and payment bonds, and for other purposes; without amendment (Rept. No. 1173). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANE: Committee on the Judiciary. H.R. 8958. A bill to remove the present $5,000 limitation which prevents the Secretary of the Air Force from settling certain claims arising out of the crash of a U.S. Air Force aircraft at Midwest City, Okla.; without amendment (Rept. 1174). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Appropriations. H.R. 9169. A bill making appropriations for the fiscal year ending June 30, 1962, and for other purposes; without amendment (Rept. No. 1175). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE 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. MOORE: Committee on the Judiciary. H.R. 1720. A bill for the relief of Paul Vassos (Pavlos Veizis); with amendment (Rept. No. 1164). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 5324. A bill for the relief of Dr. Serafin T. Ortiz; with amendment (Rept. No. 1169). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BREEDING:

H.R. 9131. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to establish a marketing program for wheat; to the Committee on Agriculture.

By Mrs. MAY:

H.R. 9132. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to establish a marketing program for wheat; to the Committee on Agriculture.

By Mr. HORAN:

H.R. 9133. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to establish a marketing program for wheat; to the Committee on Agriculture.

By Mr. ROGERS of Colorado:

H.R. 9134. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to establish a marketing program for wheat; to the Committee on Agriculture.

By Mrs. PFOST:

H.R. 9135. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to establish a marketing program for wheat; to the Committee on Agriculture.

By Mr. WICKERSHAM:

H.R. 9136. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to establish a marketing program for wheat; to the Committee on Agriculture.

By Mr. ULLMAN:

H.R. 9137. A bill to amend the Agricultural Adjustment Act of 1938, as amended,

to establish a marketing program for wheat; to the Committee on Agriculture.

By Mr. REIFEL:

H.R. 9138. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to establish a marketing program for wheat; to the Committee on Agriculture.

By Mr. AVERY:

H.R. 9139. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to establish a marketing program for wheat; to the Committee on Agriculture.

By Mr. BATTIN:

H.R. 9140. A bill to amend the Internal Revenue Code of 1954 to mitigate the tax burdens which result from the irregularity of farm and farm-related income by permitting established farmers, ranchers, livestock growers, and livestock feeders to average their taxable income over a 5-year period; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 9141. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ADDONIZIO:

H.R. 9142. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ANFUSO:

H.R. 9143. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREY:

H.R. 9144. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DANIELS:

H.R. 9145. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DULSKI:

H.R. 9146. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FARBSTEIN:

H.R. 9147. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLAGHER:

H.R. 9148. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GILBERT:

H.R. 9149. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HEALEY:

H.R. 9150. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KEOGH:

H.R. 9151. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MULTER:

H.R. 9152. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. POWELL:

H.R. 9153. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN:

H.R. 9154. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ZELENKO:

H.R. 9155. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BUCKLEY:

H.R. 9156. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLTZMAN:

H.R. 9157. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GARMATZ:

H.R. 9158. A bill to amend title 14 of the United States Code to authorize the Secretary of the Department in which the Coast Guard is operating to establish and enforce structural safety standards for certain artificial islands or fixed structures which are in or over certain waters or lands over which the United States has jurisdiction; to the Committee on Merchant Marine and Fisheries.

By Mr. MORRIS:

H.R. 9159. A bill to amend Public Law 86–376; to the Committee on Ways and Means.

By Mr. RANDALL:

H.R. 9160. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer or spouse who is a victim of chronic respiratory polio; to the Committee on Ways and Means.

By Mr. SIBAL:

H.R. 9161. A bill to amend paragraph 1101(b) of the Tariff Act of 1930 to provide for the duty-free importation of certain wools for use in the manufacture of polishing felts; to the Committee on Ways and Means.

By Mr. WINSTEAD:

H.R. 9162. A bill to provide for the withholding and the forfeiture of the pay and allowances of certain members of the uniformed services who, while prisoners of war, aid the enemy or are guilty of other misconduct, and for other purposes; to the Committee on Armed Services.

By Mr. ABERNETHY:

H.R. 9163. A bill to provide for the withholding and the forfeiture of the pay and allowances of certain members of the uniformed services who, while prisoners of war, aid the enemy or are guilty of other misconduct, and for other purposes; to the Committee on Armed Services.

By Mr. BECKWORTH:

H.R. 9164. A bill to amend title II of the Social Security Act to provide that income derived by an individual from a trade or business carried on by a partnership shall not constitute "earnings" for purposes of deductions on account of work unless he renders personal services in such trade or business; to the Committee on Ways and Means.

By Mr. BENNETT of Florida:

H.R. 9165. A bill to amend chapter 61 of title 10, United States Code, to provide that where a member of an armed force in receipt of disability retired pay is separated from his wife or children, a portion of such disability retired pay may be apportioned and paid to his wife or children; to the Committee on Armed Services.

By Mr. ROGERS of Texas:

H.R 9166. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to establish a marketing program for wheat; to the Committee on Agriculture.

By Mr. SCHWENGEL:

H.R. 9167. A bill to establish a U.S. Agency for World Peace With Justice and Security Through Disarmament; to the Committee on Foreign Affairs.

By Mr. ZABLOCKI:

H.R. 9168. A bill to amend title IV of the Social Security Act to provide that local agencies may distribute aid to dependent children in the form of commodities, and may demand an accounting of the way in which aid to dependent children in the form of money payments is used by the recipient, in appropriate cases; to the Committee on Ways and Means.

By Mr. THOMAS:

H.R. 9169. A bill making supplemental appropriations for the fiscal year ending June 30, 1962, and for other purposes.

By Mr. CHELF:

H.R. 9170. A bill to provide that the House of Representatives shall be composed of 453 Members, and for other purposes; to the Committee on the Judiciary.

By Mr. PETERSON:

H.R. 9171. A bill to amend the act of August 27, 1954 (68 Stat. 868), with respect to the Uintah and Ouray Reservation in Utah; to the Committee on Interior and Insular Affairs.

By Mr. RODINO:

H.R. 9172. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLIFIELD:

H.J. Res. 569. Joint resolution to waive certain provisions of the Atomic Energy Act of 1954 so as to permit the agreement for cooperation between the United States and France to be made immediately effective; to the Joint Committee on Atomic Energy.

By Mrs. NORRELL:

H. Con. Res. 390. Concurrent resolution declaring the sense of the Congress that no further reductions in tariffs be made during the life of the present Reciprocal Trade Agreements Act; to the Committee on Ways and Means.

By Mr. RYAN:

H. Con. Res. 391. Concurrent resolution, to establish a joint congressional committee to

conduct a full and complete investigation and study of the civil defense program of the United States; to the Committee on Rules.

By Mr. HARVEY of Indiana:

H. Con. Res. 392. Concurrent resolution proposing establishment of a State safety council and local safety councils within each State; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATTIN:

H.R. 9173. A bill for the relief of Miles City Saleyards Co. of Miles City, Mont.; to the Committee on the Judiciary.

By Mr. BREWSTER:

H.R. 9174. A bill for the relief of Ana Noglyte de Bujevicius; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 9175. A bill for the relief of Helena Zelazny; to the Committee on the Judiciary.

By Mr. EVERETT:

H.R. 9176. A bill for the relief of Edwin Chi-Chang Cheng; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 9177. A bill for the relief of Despina Doxis and Vassilire Doxis; to the Committee on the Judiciary.

H.R. 9178. A bill for the relief of Francesco Lupo; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 9179. A bill for the relief of Hamilton Kwai-Wah Ho; to the Committee on the Judiciary.

By Mr. HARDING:

H.R. 9180. A bill for the relief of Noreen Joyce Baden; to the Committee on the Judiciary.

By Mr. HORAN:

H.R. 9181. A bill for the relief of Hong-Kyw Cho; to the Committee on the Judiciary.

By Mr. KARTH:

H.R. 9182. A bill for the relief of Mohine W. Bakhos; to the Committee on the Judiciary.

By Mr. MACDONALD:

H.R. 9183. A bill for the relief of Commander Gardiner Luce; to the Committee on the Judiciary.

By Mr. MAGNUSON:

H.R. 9184. A bill for the relief of the estates of Ida Ella Floe, Stephen Floe, and Claudette N. Bline, and for the relief of Kerri Marie Bline; to the Committee on the Judiciary.

By Mr. QUIE:

H.R. 9185. A bill for the relief of Owen L. Green; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 9186. A bill for the relief of Eladio Aris (also known as Eladio Aris Carvallo); to the Committee on the Judiciary.

By Mr. SANTANGELO:

H.R. 9187. A bill for the relief of Biagio Zago; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 9188. A bill to relieve Theodore A. Anderson from loss of agricultural conservation program benefits; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

209. The SPEAKER presented a petition of Mr. Arthur E. Smith, Americanism chairman, Fourth District, the American Legion Department of Ohio, Cincinnati, Ohio, stating that "under no circumstances should the Government or people of the United States of America extend diplomatic recognition or aid to the pretended government of the Communist conspiracy in China or any such part thereof as Outer Mongolia," which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

The Cattle Brand—Identification—Inspection Program in Texas

EXTENSION OF REMARKS

OF

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1961

Mr. POAGE. Mr. Speaker, the cattle industry has historically been by far the largest agricultural activity in the State of Texas. Cattle stealing, or rustling, has always been one of the greatest problems. The Texas and Southwestern Cattle Raisers' Association was organized at Graham, Tex., almost 90 years ago for the primary purpose of eliminating cattle stealing. It is today the largest livestock association in the United States and its primary activity remains the abolishing of cattle rustling.

Actually, there is more cattle stealing today than at any time in history. It is probably due in large part to the development of modern transportation which enables a cow thief to load stolen animals into a truck at night and sell them in any one of a hundred different markets tomorrow. The need for a coordinated system of cattle identification was never as great as it is today.

Historically, branding has provided the best and most practical means of identification, but branding is not now and never has been a universal practice, nor is it the exclusive method of identification. Obviously, natural breed, size, age, coloring, and so forth, provides effective identification, but it is not as readily described as brand identification.

About 1942 Congress passed legislation which empowered the Department of Agriculture to authorize local agencies to conduct brand inspection within their areas. In many States there is an official or State program of brand inspection. In Texas this program is conducted by the Texas and Southwestern Cattle Raisers' Association, and it involves the identification of cattle by all practical means, not simply by a record of brands alone. For a number of years this inspection was confined very largely to the larger terminal markets. With the extension of Federal control to all auction rings, this service was extended to possibly 200 markets in Texas and some in more distant points. The association provides inspectors, pays their salaries, and maintains a general clearinghouse at Fort Worth, where records of all animals brought on to a posted market are kept, as well as reports of all stolen cattle. The reports of sale go into the Fort Worth market every night. Of course, reports of theft are made as rapidly as they are discovered. Here, within the limits of information available, the association conducts a kind of fingerprint identification. Such identification cannot be conducted by any other existing agency because there is no such agency presently in existence which has the organization or facilities for this activity. This checking of sales has resulted in the apprehension of hundreds of cases of cattle stealing.

Apparently, there was no objection to the work of the association until the large number of auction rings were brought under its jurisdiction in 1957. At that time 13 rings joined in protest. Two of the operators have formally withdrawn their protest in the meantime and no one knows if many of the remaining 11 are actually interested in conducting this protest. It is, however, clear that the protest and the only protest to the activities of the Association was filed by the operators of auction rings, not by livestock producers.

If the legislation was passed for the benefit of livestock producers, as the Congress apparently assumed it was, it seems that the Department would want to determine the degree of producer acceptance of the present practice. On the other hand, if the legislation is to be interpreted as having been passed for the benefit of auction rings, then it would seem that the number of auction rings favoring the program is many times greater than those opposing it. In the above-mentioned protest those auction rings opposing the program indicated that their opposition was based on, first, the fact that the association makes a charge of 8 cents per head for each animal on which they file a report. This is indeed a fact, but apparently no one contends that the 8 cents is excessive. On the contrary, it is apparently the smallest charge made in any State for this purpose. It is also contended that in some cases the inspector did not actually inspect the animals for which the charge was made. The association has agreed that this situation should be corrected and that in the future no charges will be made for animals not physically inspected.

The protesting auction rings in their complaint also argued that in many parts of Texas branding was not common practice. Admittedly, it is not a universal practice in any part of Texas. Admittedly, it may not be conducted by a majority of producers in certain parts of Texas, but certainly branding is used by a representative number of cattlemen in every part of Texas. In discussing the prevalence of branding, however, the auction operators ignore the fact that this inspection program is indeed an in-