wrong, offer indemnification for it, and then take it back in taxes. Bad as the original injustice was, this idea is absurd.

Mr. KUCHEL. Mr. President, I make these comments and place in the Record these insertions tonight so that they will be available to our colleagues next week. I do hope most sincerely that the Senate overwhelmingly and, indeed, I permit myself the hope, by unanimity, will approve the legislation which I have offered, not alone for myself but also on behalf of a number of my colleagues in the Senate—legislation which will prevent insult from being added to injury.

ADJOURNMENT TO 10 O'CLOCK A.M. ON MONDAY NEXT

Mr. KUCHEL. Mr. President, if there is no further business to come before the Senate I move that the Senate stand in adjournment until 10 o'clock on Monday morning next.

The motion was agreed to; and (at 7 o'clock and 43 minutes p.m.) the Senate adjourned, under the previous order, until Monday, August 27, 1962, at 10 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 25, 1962:

U.S. District Judges

E. Avery Croy, of California, to be U.S. district judge for the southern district of California, Jesse W. Curtis, Jr., of California, to be U.S. district judge for the southern district of California.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 27, 1962

The House met at 12 o'clock noon. Maj. F. M. Gaugh, divisional secretary, North and South Carolina Division, the Salvation Army, Charlotte, N.C., offered the following prayer:

Almighty God, who hast given us this good land for our heritage, be bountiful to us and bless us; and do good to Thy will. Bless our land and save us from violence, discord, and confusion; from pride and arrogance; and from every evil way. Endue with the spirit of wisdom those to whom, in Thy name, we entrust the authority of Government that they may be just and peace, and that through obedience to Thy law we may show forth Thy praise among the nations of the earth; for we thank Thee through Jesus Christ our Lord. Amen.

THE JOURNAL

The SPEAKER. The Clerk will read the Journal of the last day's proceedings.

The Clerk read as follows:

Journal of the proceedings of Thursday, August 23, 1962.

Mr. WILLIAMS (interrupting the reading of the Journal). Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Will the gentleman withhold the point of order to permit the Chair to receive a message?

Mr. WILLIAMS. I withhold the point of order.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the following amendments to, and the amendment bills of the House of the following titles:

H.R. 2446. An act to provide that hydraulic brake fluid sold or shipped in commerce for use in motor vehicles shall meet certain specifications prescribed by the Secretary of Commerce;

H.R. 10929. An act to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water, and for flood control and allied purposes, and to prepare joint reports of such investigations and surveys for submission to the Congress, and for other purposes;

H.R. 5691. An act to amend the acts of May 21, 1926, and January 25, 1927, relating to the construction of certain bridges across the Delaware River, so as to authorize the use of certain funds acquired by the owners of such bridges for purposes not directly related to the maintenance and operation of such bridges and their approaches;

H.R. 10928. An act to authorize the Secretary of the Air Force to adjust the legislative districts exercised by the United States over lands within Eglin Air Force Base, Fla.;

H.R. 10628. An act to repeal the act of August 4, 1959 (78 Stat. 289);

H.R. 11221. An act to authorize the Secretary of the Army to relinquish to the State of New Jersey jurisdiction over any lands within the Fort Hancock Military Reservation;

H.R. 11721. An act to authorize the payment of the balance of awards for war damage compensation made by the Philippine War Damage Claims Fund under the Philippine Rehabilitation Act of April 30, 1946, and to authorize the appropriation of $73,000,000 for such purposes;

H.R. 10908. An act to authorize the Secretary of the Army to convey certain land and easement interests at Hunter-Liggett Military Reservation, to the United States over lands within the Port Hueneme Military Reservation;

H.R. 11228. An act for the relief of Tal Ja Lim;

H.R. 5532. An act to amend the Armed Services Procurement Act of 1947;

H.R. 7979. An act to amend the act of June 5, 1952, so as to repeal the provisions on the real property conveyed to the Territory of Hawaii by the United States under authority of such act;

H.R. 8520. An act to amend the Soil Conservation and Domestic Allotment Act, as amended, authorizing in connection to the establishment of soil conservation districts to limit financial and technical assistance for drainage of certain wetlands;

H.R. 8521. An act to amend title 38, United States Code, to provide increased rates of disability compensation, and for other purposes;

H.R. 11227. An act to amend section 815 (act of June 18, 1940, 54 Stat. 575) relating to nonjudicial punishment and for other purposes; and


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

H.R. 10648. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses therein, and appoints certain Senators, Mr. Young of North Dakota, and Mr. Munson to be the conferences on the part of the Senate.

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

S. 703. An act to validate the homestead entries of Leo F. Peterson.

S. 1552. An act to amend and supplement the laws with respect to the manufacture and distribution of drugs, and for other purposes.

S. 2431. An act to provide for retrocession of legislative jurisdiction over Clearfield, Ogden, Utah; and

S. 2950. An act for the relief of Dwijendra Kumar Mian.

S. 2963. An act for the relief of Byung Yong Cho (Alan Cho Gardner) and Mooncess Cho (Charlie Gardner).

S. 3085. An act for the relief of Paul Huygelen and Luba A. Huygelen.

S. 3221. An act to provide for the exchange of titles:

S. 3220. An act to provide for the exchange of titles:

H.R. 5968. An act to amend title 38, United States Code, to authorize the appointment of citizens or nationals of the United States from American Samoa, Guam, or the Virgin Islands to the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy;

S. 3318. An act to authorize the Secretary of Commerce to establish and carry out a program to promote the flow of domestically produced lumber in commerce;

S. 3268. An act to amend title 10, United States Code, to authorize the appointment of citizens or nationals of the United States from American Samoa, Guam, or the Virgin Islands to the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy;

S. Con. Res. 217. Joint resolution making the 17th day of September of each year a legal holiday to be known as "Constitution Day";

S. Con. Res. 87. Concurrent resolution authorizing the printing of additional copies of the Hearings before the "Military Cold War Education and Speech Review Policies" and the report thereon.

The message also announced that the Senate agrees to the amendments of the
The SPEAKER. On this rollcall 359 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. WILLIAMS. Mr. Speaker, I object.

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

Mr. WILLIAMS. Mr. Speaker, on that demand the yeas and nays.

The yeas and nays were refused.

The SPEAKER. The question is on the motion.

Mr. GROSS. Mr. Speaker, I demand a division.

The SPEAKER. The motion is that further proceedings under the call be dispensed with.

The question was taken; and there were—yeas 111, nays 32.

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

The SPEAKER. The Chair will count. After counting, one hundred and ninety Members are present, not a quorum.

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

The question was taken; and there were—yeas 298, nays 65, not voting 73, as follows:

[Yeas—298; Nays—65; Not Voting—73]
The Clerk announced the following pairs:

On this vote:
Mr. Cranker for, with Mr. Utig against.

Until further notice:
Mr. Hébert with Mr. Bass of New Hampshire.
Mr. Powell with Mr. MacGregor.
Mr. Morrison with Mr. Pirnie.
Mr. Affeld with Mr. Glenn.
Mr. Evans with Mr. Adair.
Mr. Mannon with Mr. Collier.
Mr. Kittson with Mr. Dominick.
Mr. McDonough with Mr. Cunningham.
Mr. Peterson with Mr. Findley.
Mr. McMullan with Mr. Moorehead of Ohio.
Mr. Ashley with Mr. Andersen of Minnesota.
Mr. Macdonald with Mr. Wilson of California.
Mr. Glazier with Mr. Seely-Brown.
Mr. Slaggers with Mr. Arends.
Mr. Blatnik with Mr. Osmers.
Mr. Granahan with Mr. Dooley.
Mr. O’Cien with Mr. Knox.
Mr. Morris with Mr. Smith of California.
Mr. Bolling with Mr. Ellsworth.
Mr. Sisk with Mr. Wilson of Indiana.
Mr. Ichord of Missouri with Mr. Guibeau.
Mr. Shelley with Mr. Scherer.
Mr. Daddario with Mr. Weaver.
Mr. Connors with Mr. Pleas.
Mr. James C. Davis with Mr. Merrow.
Mr. Diggs with Mr. Garland.
Mr. Buring with Mr. Curtis of Massachusetts.
Mr. Donohue with Mr. Hall.
Mr. Dawson with Mr. Myers.
Mr. Cannon with Mr. Hoffman of Michigan.

The doors were opened.

The SPEAKER. The Clerk will count.

The Chair just announced the following Members present:
Mr. Williams, 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 Chair will count.

Mr. Williams, 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 Chair just counted 236, but the Chair will count again. (After counting.) Two hundred and twenty-six Members are present, a quorum.

Mr. Williams, Mr. Speaker, on that demand the yeas and nays.

The yeas and nays were taken. So the motion was agreed to.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On August 20, 1962:
H.R. 12947. An act to amend the act of August 7, 1946, relating to the District of Columbia hospital center, to extend the time during which appropriations may be made for the purposes of that act.
On August 24, 1962:
H.R. 23. An act to authorize the Secretary of the Interior to acquire, operate, and maintain the Arbuckle reclamation project, Oklahoma, and for other purposes;
H.R. 2139. An act for the relief of Suraj Din;
H.R. 2176. An act for the relief of Salvador Mortelliti;
H.R. 2137. An act for the relief of Amirk S. Warich;
H.R. 3549. An act to amend the Tariff Act of 1930, as amended;
H.R. 4449. An act to amend paragraph 774 of the Tariff Act of 1930, as amended, to the importation of certain articles for religious purposes;
H.R. 5128. An act for the relief of Helena M. Grover;
H.R. 6219. An act to permit the vessel Barho IV to be used in the coastwise trade;
H.R. 6456. An act to permit the tug boats 'John Roen, Jr., and Steve W. to be documented for use in the coastwise trade;
H.R. 7741. An act to permit the vessel Lucky Linda to be documented for limited use in the coastwise trade;
H.R. 8168. An act to admit the vessel
H.R. 10276. An act to change the name of the Petersburg National Military Park, to provide for acquisition of a portion of the Five Forks Battlefield, and for other purposes;
H.R. 10308. An act for the relief of Elizabeth A. Johnson;
H.R. 10853. An act to continue for a temporary period the existing suspension of duties on certain classifications of spun silk yarn, and to provide for the free entry of a towning carriage for the use of the Virginia Polytechnic Institute;
H.R. 10926. An act to transfer casserine and lacetere to the free list of the Tariff Act of 1890;
H.R. 11400. An act to continue for 2 years the existing suspension of duties on certain lathes used for shoe last roughing or for shoe last finishing;
H.R. 11405. An act to provide for the maintenance and repair of Government improvements under Government contracts entered into pursuant to the act of August 25, 1918 (39 Stat. 505), as amended, and for other purposes;
H.R. 11643. An act to amend sections 216(c) and 306(b) of the Interstate Commerce Act, relating to the establishment of through routes and joint rates;
H.R. 12555. An act to amend the law relating to the final disposition of the Chocotaw Tribe; and
H.R. 410. Joint resolution authorizing the State of Arizona to place in the Statuary Hall collection in the U.S. Capitol the statue of Eusebio Francisco Kino.

The SPEAKER. The Clerk will proceed with the reading of the Journal.

The Clerk continued the reading of the Journal.

CALL OF THE HOUSE

Mr. RIVERS of South Carolina (interrupting Mr. Towne) stated that he was prepared to make the call.
Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count.

[After counting.] One hundred and eighty-four Members are present, not a quorum.
Clerk announced the following names: Members failed to answer to their calls:

Alford, Bass, N.H.
Blitch, Corman
Coad, Cannon
Collier, Davis, Ohio
Dooley, Breeding
Braaemas, Braan
Bow, Bonner
Boone, Boykin
Buell, Cannon

The Speaker announced that the ayes appeared to have it. Mr. Dowdy. Mr. Speaker, I object. Mr. Albert. Mr. Speaker, I move that further proceedings under the call be dispensed with. The question was taken, and the Speaker announced that the ayes appeared to have it. Mr. Dowdy. 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. The Chair recognizes Mr. James Davis with Mr. Celler, Calif.

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The result of the vote was announced as above recorded.

The doors were opened.

The Speaker. The Chair will proceed with the reading of the Journal. The Clerk concluded the reading of the Journal.

The Speaker. Without objection the Journal as read will stand approved. Mr. Williams, Mr. Speaker, I object.

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The Speaker. The Chair recognizes Mr. Alford, with the right honor to move that the Journal as read stand approved.

The Speaker. The question is on the motion of the gentleman from Oklahoma.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. Williams. 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. The Chair will count. After counting. Two hundred and nineteen Members are present, a quorum.

So the motion was agreed to.

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QUALIFICATIONS OF ELECTORS

Mr. Cellers. Mr. Speaker, I move to suspend the rules and pass Senate. H. F. Robinson, Va. Merrow, Scherer
Hodgson, Mich. Moorehead, Seely-Brown
Holiford, Sibley
Kerns, Morrison, Smith, Miss.
Kilburn, O'Brien, Ill.
Kitchin, Ovens, Thompson, La.
Mcdonald, Peterson, Utah
McMillan, Pilcher, Wilson, Calif.
Mcdonald, Pilcher, Wilson, Ind.
Mason, Sand
Joint Resolution 29, proposing an amendment to the Constitution of the United States relating to the qualifications of electors.

Mr. ABERNETHY. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. ABERNETHY. Mr. Speaker, I move that the House consider this motion on the calendar out of consideration of a privileged motion and a motion to suspend the rules today for the purpose of bringing up a certain amendment to the Constitution of the United States.

Mr. Speaker, this amendment is to be considered as a privileged motion and to be brought up under suspension of the rules. Therefore, I respectfully submit it is a mandatory rule.

The second and fourth Mondays in each month, after the disposition of motions to discharge committees and after the disposal of such business on the Speaker's table as requires reference only, shall, when claimed by the Speaker, be considered as ordered to be heard. The Speaker shall recognize such motions as privileged motions and a motion to suspend the rules today for the purpose of bringing up such business on the Speaker's table as requires reference only.

The Chair rules on the point of order.

Several days ago on August 14 unanimous consent was obtained to transfer to the Speaker the consideration of business under suspension of the rules on Monday last until today. That does not prohibit the consideration of a privileged motion and a motion to suspend the rules today as a privileged motion. The matter is within the discretion of the Chair as to the matter of recognition.

The Chair overrules the point of order.

The Clerk reads the resolution (S.J. Res. 29).

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

"SECTION 2. The Congress shall have power to enforce this article by appropriate legislation."

The SPEAKER. Is a second demanded?

Mr. McCULLOCH. Mr. Speaker, I demand a second.

Mr. SMITH of Virginia. Mr. Speaker, I would like to know if the gentleman qualifies. I believe that the opposition has the right to demand a second.

The SPEAKER. Is the gentleman from Ohio [Mr. McCulloch] opposed to the resolution?

Mr. McCULLOCH. Mr. Speaker, I am not opposed to the resolution.

The SPEAKER. The gentleman does not qualify.

Mr. RAY. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the resolution?

Mr. RAY. Mr. Speaker, I am.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from New York [Mr. Celler] is recognized for 20 minutes.

Mr. Celler. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, our late lamented Speaker, Sam Rayburn, President Kennedy, Vice President Lyndon Johnson, our present Speaker, John McCormack, all of them at one time or another have been weighed against the poll tax. Both party platforms have repeatedly pledged abolition of the poll tax. For example in the party platforms, the Republicans had the plank on the abolition of the poll tax plank in 1944, 1948, and 1952, as follows:

In 1944:

The payment of any poll tax shall not be a qualification for voting in Federal elections, and we favor immediate submission of a constitutional amendment for its abolition.

In 1948:

We favor the abolition of the poll tax as a requisite to voting.

In 1952:

We will prove our good faith by *** Federal action toward the elimination of the poll tax as a prerequisite for voting.

In 1960:

(1) To continue the vigorous enforcement of civil rights laws to give the right to vote to all citizens in all areas of the country (from party pledge).

Democrat—no specific reference to the poll tax by name in platforms of 1948 and 1952, but it is obviously referred to in the Democratic platform of 1948 in the following manner:

In 1948:

We call upon the Congress to support our President in guaranteeing the basic and fundamental American principles: (1) the right of full and equal political participation.

In 1952: We find an approval of the removal of the poll tax:

We favor Federal legislation effectively to secure these rights to everyone: (3) the right to full and equal participation in the Nation's political life, free from arbitrary restraints.

In 1960:

We will support whatever action is necessary to eliminate the payment of poll taxes as requirements for voting.

I regret that this constitutional amendment is brought up under suspension of the rules with only 40 minutes of debate. I applied for a rule. A rule was not forthcoming. A discharge petition was filed but not processed. Such a
petition is rarely used and has its attendant difficulties if not embarrassments. Hence this suspension of the rules.

In proposing this amendment I regret that I must differ with my esteemed colleagues of the Judiciary Committee, Representatives Willis, Ashmore, Forrester, Dowdy, and Tuck. Their opposition is strong, as it is sincere. In this we are as different as Hamlet is from Hercules, as a pig's tail is from the tail of a comet. But remember, democracy's strength lies in the diversity of opinion and the right to utter them.

The House has passed an antipoll tax bill five times, the Senate twice, including the resolution before you.

An antipoll tax legislation, since 1942, passed by the House in 77th, 78th, 79th, 80th, and 81st Congresses. Debated in the Senate during each of these Congresses but passed by the Senate only during 86th and 87th.

No bills passed by either House or Senate—82d through the 85th.

In each instance the bill which passed the House was defeated in the Senate by a filibuster to prevent a poll tax prerequisite to voting in Federal elections. No such bill was passed by the Senate and at least once—H.R. 7, 78th Congress—was prevented from coming to a vote through filibuster.

Only time it passed the Senate was during the 86th Congress, and that took time it passed the Senate during the 86th Congress, and that took approximately 9 months. The 17th, 18th, 19th, and 20th amendments each required only approximately 1 year, while the 21st and 22nd amendments took less than a year. And remember, 45 States do not have a poll tax.

Reasonable minds differ as to the method to be adopted to abolish the poll tax. Some would travel the statutory route, others the constitutional route. As the Attorney General stated, "a constitutional amendment is a realistic and commendable approach."

In testifying before the Senate Constitutional Amendments Subcommittee on June 28, 1961, Assistant Attorney General Nicholas deB. Katzenbach said:

"While we think from the recent trend in decisions that we cannot consistently uphold such a statute, the matter is not free from doubt. In any event, as a practical matter, the first of the widespread support offered by the many sponsors of Senate Joint Resolution 88, the poll tax may possibly be found forever after by constitutional amendment than by attempt to enact and litigate the validity of a statute. All of us know that long delays are inherent in litigation generally, and this is particularly true when important constitutional issues are at stake. Accordingly, the Justice Department supports the proposed amendment as a realistic technique which seeks the early demise of the poll tax."

Later, during that hearing, Mr. Katzenbach said:

"I am authorized on this to speak for the administration and for the President."

If the statutory method were pursued there would ensue a long period of litigation to test the statute's constitutionality.

Furthermore, a statute would be difficult to enact in both Houses—as difficult as trying to grasp a shadow.

This amendment has passed the Senate, I repeat. I am a pragmatist, I want results. I do not debate. I want a law, not a filibuster. I crave an end to the poll tax, not unlimited, crippling amendments.

I say to you gentlemen and ladies, "Stretch your feet according to your blanket."

It is wiser to recognize the exigencies under which we operate. I do not wish to try for too much and fail. I do not want to keep rolling a boulder up a high hill like Sisyphus, only to have it fall down constantly upon me. We would have inordinate trouble trying to get a mere statute passed. Hence this constitutional amendment.

I am aware that this resolution only affirms the feeling in both Congresses. States could inflict the tax in State or local elections. This might mean double or botballed ballots. That would be unfortunate.

It is hoped that this constitutional amendment, when ratified, will liberate the minds of the members of the State legislatures of the five poll tax States and cause these men to realize that the fungus of growth on their own local body politic could very well stranggle progress in many directions.

Excuse is offered that the poll tax results in so much delay used for educational purposes in some States. This is a specious argument. Poll tax proceeds might be used for many good causes—for bird sanctuaries, homes for inebriates, baseball parks, or what have you. But since the poll tax is inherently obnoxious, the good does not justify the evil. It is like the fruit of a poisoned tree or water from a tainted well.

The constitutional amendment is in exactly the form that it passed the Senate. I fought down all amendments before the Judiciary Committee so that we could pass upon the resolution as it had passed the Senate. This will avoid any conference and thus prevent delay. Delay has dangerous ends.

There has been sufficient delay in removing this unfair burden on the right to vote, a burden on the white man's ballot as well as on the colored man's ballot.

Recent studies of the U.S. Commission on Civil Rights revealed on the whole that the imposition of the poll tax has not been administered in a discrimination manner, but to do so is resident therein. Past history is replete with discrimination. Present history still records some unjust brakes on the right to vote.

For too long a time have the rights of minorities been trammeled and trampled upon; 100 years have elapsed since the Emancipation Proclamation. That is a long time. Emancipation has still not been fully achieved. Certainly there should be no longer any procrastination in consigning the poll tax to limbo.

Cervantes said:

"Be it the street or by and by one arrives at the house of Never."

Let us not tarry longer with this obstruction to voting. Let us get rid of it now.

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

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

Mr. FASCELL. I want to congratulate the gentleman as chairman of the
Judiciary Committee for his perseverance and his leadership in this matter. I would like the Record to show also that the distinguished senior Senator from the State of Florida, the Honorable Spezzano L. Holland, in the other body, has for a long time been the sponsor of this resolution. I am very happy to join the gentleman from New York and my senior Senator from Florida in support of the resolution.

We, in the U.S. Congress have witnessed a long and oftentimes bitter struggle to abolish the poll tax as a prerequisite for voting, so that no American must pay for the privilege of exercising his constitutional privilege—the right to vote.

One of the outstanding leaders in the fight for the abolition of this horridous detriment to democracy is the distinguished and able senior Senator from my State of Florida, the Honorable Spezzano L. Holland.

As far back as 1937 Senator Holland called the poll tax "an impediment to voting" and participated, as a Florida State senator, in the successful fight to remove the poll tax as a voting requirement in the State of Florida.

Through his outstanding efforts in this matter, we, in the State of Florida, have realized a great increase in the exercise of voting responsibilities and the advent of clean politics. It was common knowledge throughout the State of Florida that some persons were controlling certain county elections through manipulation of the payment of poll taxes. As Senator Holland phrased it, "This means of undemocratic and corrupt control was terminated by the poll tax repeal."

Now we are discussing the abolition by constitutional amendment of the poll tax in the only five States in this free Nation which require the payment of money as a prerequisite for voting—a poll tax. As Senator Holland phrased it, "This means of undemocratic and corrupt control was terminated by the poll tax repeal."

As a result, we are presented with a resolution which would insure all Americans the right to vote free from the arbitrary discrimination of a poll tax. This right to vote, Mr. Speaker, is the cornerstone of our democracy. It is the foundation of our form of government. It is the one right, in fact, upon which the promise guaranteed by the 15th Amendment to our Constitution continues to suffer abridgement. The excellent studies conducted by the Commission on Civil Rights reveal that many minority groups, and Negroes in particular, are anxious to exercise their full political rights as free Americans, and that progress has been made in this regard. Unfortunately, these same studies also reveal that many Negro American citizens not only find it extremely difficult, but often impossible to vote; that devices such as the poll tax are still effective tools of discrimination.

Mr. Speaker, I agree with those who argue that every State has a constitutional right to impose voting tests. These tests must, however, be reasonable and consistently applied. They must serve as qualifications for voting, not as barriers, and if the poll tax is currently being used it is neither reasonable nor a valid qualification. It is being used solely and exclusively to withhold the vote from certain groups and it must, therefore, be defended, secured and observed. This right to vote free from discrimination based on race or color, however, is the one constitutional right upon which all other constitutional guarantees depend for their effective protection. It must, therefore, be defended, secured and observed.

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Thus, the Civil Rights Commission itself is unable to attribute more than a nod to the notion that poll taxes are used today to racially discriminate in voting.

Even if we were to assume, however, that evidence did exist that the poll tax was being so used, it would be necessary to exclude the States of Arkansas, Texas, and Virginia, since the Civil Rights Commission specifically found that voter discrimination for such means does not exist in those States. This leaves only the States of Alabama and Mississippi where the poll tax may be a racial deterrent to voting. Let us turn, then, to the voter situation in those two States to see how materially the final adoption of Joint Resolution 29 will contribute to the cause of civil rights, in the area of voter enfranchisement.

In doing so, I wish to stress that I am not necessarily concluding that the poll tax is being used discriminatorily in these two States. However, in order to determine the maximum effective limits of this proposal, I secured voter registration statistics for 1960 in those counties of Alabama and Mississippi which have less than 10 percent registration among the nonwhite voting-age population. It is a simple matter of fact that since the Civil Rights Commission only labels a county for suspicion if it has less than 3 percent nonwhite registration.

Analyzing the figures, I discovered that Alabama has approximately 160,000 nonwhite citizens of voting age within such counties who have not registered. Further, it appears there are approximately 250,000 nonwhite citizens of voting age within counties of 10 percent or less nonwhite registration, who have not registered. This means that under the final form of proposed constitutional amendment, we could only assist, at the most, 410,000 citizens.

Mr. Speaker, if I were a resident of one of the five States affected by this legislation, undoubtedly I would vote to change the law of that State, but I would be equally and more violently opposed to it if I were a resident of the other 49 States. I am very glad to join the gentleman from New York and my senior Senator from Florida in supporting this resolution.
Now, I well appreciate that to assist even one additional eligible citizen to vote is a good thing. I am for that principle, I have always been for that principle, and I intend to vote for this joint resolution. But, he asks, can we or ought we to be able to maintain a straight face in the future when we hear talk of the New Frontier's bold new legislative program for civil rights?

Constitutional lawyers and careful students of government have long contended that the Constitution of the United States has been and should continue to be reserved for fundamental and profound changes in the basic law of the land. To proceed, as we are planning to proceed with today's action, could be a precedent. It would be a precedent because it tends to breed disrespect for our Constitution and encourage its change as one might amend an ordinance, or a State, or a Federal law. I hope we are not about to make the Constitution as an argument or justification for amending the Constitution, when legislation would accomplish the same end.

AMENDMENT OF THE CONSTITUTION

As a new member I need to now enter into debate as to the propriety of proceeding by the legislative route on this matter, I may say that many skilled and intelligent lawyers have argued that such a route is possible. Yet, as strange as it may seem, little or no consideration was given to this fundamental issue in committee. Of even greater importance, I am of the firm opinion that if we are to amend the Constitution, the people should make the amendment fully effective.

Do we really believe that the abolition of the poll tax will, in fact, enfranchise many additional citizens who today are barred from voting? Of course not, because there are many subtle and clever devices that can be used to prevent a person from voting, if that be the intention of public officials. Nineteen States, for example, presently impose some form of literacy test as a voting requirement. And many of the States also have the number of persons from so-called Northern States, I am, however, pleased to say, that the State of Ohio has no literacy test for voting. With literacy tests as prevailing devices, and as subject to abuse as we know some of them to be, those who speak of this proposal as monumental, are deceiving themselves, and those who believe them.

It is regrettable that a proposal to amend the Constitution is debated on a motion to suspend the rules, when total time for debate is limited to 40 minutes. This tendency to judge a proposal by extralegal devices which so completely deter voting in some States. Suffice it to say that this proposal will not solve the whole problem. It will only be solved by an energetic and a real will to enforce the basic and statutory law of the land, and perhaps supplemented by appropriate legislation by the Congress.

In my own experience in the course of the 87th Congress, I urge the suspension of the rules and the adoption of the resolution. It is neither brave nor bold in fact to say a foot in the door which may be broad advance on the New Frontier in the fall of 1960, but it is the best that can be had this year.

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

Mr. McCULLOCH. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, I believe it might be well for me to say at this point that the proposition before us is not new or novel. I have voted for antipoll tax legislation, I would guess, at least a half dozen times. I remember voting for such a bill in 1942. I voted for such a bill in 1943, and I voted for one in 1945. In June of 1947, as majority leader of the 80th Congress, we called up for consideration a anti-poll tax bill. It passed by substantially more than the necessary two-thirds majority.

So, as I said at the outset, this is nothing new or novel; it is something that the House of Representatives has been trying to write into law for a long, long time. This proposal is a constitutional amendment in its very essence, but we have heretofore dealt with undertook to accomplish this by statute law. Is that correct?

Mr. McCULLOCH. That is correct.

Mr. HALLECK. Therefore, as far as I am concerned, I propose to vote for this measure as I have voted for similar measures through the last 20 years.

Mr. McCULLOCH. I thank the gentleman from Indiana, our minority leader, and I am pleased that he has brought the record up to date.

Mr. Speaker, it is indeed regrettable that a constitutional amendment should be brought to the floor of the House with only 40 minutes for debate thereon. I hope it does not happen again.

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

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

Mr. ROGERS of Texas. Can the gentleman tell me whether if this amendment is adopted it will destroy a right that is presently vested in the States?

Mr. McCULLOCH. I am not convinced, however, that that is the case.

Mr. ROGERS of Texas. The States now have the right to make this determination. If you pass this amendment it destroys the right of the States in that sense, does it not?

Mr. McCULLOCH. I am not convinced that it does. Some of the ablest lawyers in the country are of the opinion that the intended result can be accomplished either by congressional action or constitutional amendment.

Mr. CELLER. Mr. Speaker, I yield 5 minutes to the gentleman from Louisiana.

Mr. WILLS. Mr. Speaker, Louisiana was one of the first States in the Union to repeal the poll tax. I voted to repeal it. And I believe that some of these days the three or four remaining States still having the poll tax requirement as a condition to vote will repeal it.

Thus far, therefore, the proponents of the resolution before the House have not been able to state the reasons why they support it. Beyond that point, however, we part company. Why? I disagree on the basis of two great constitutional principles, the words, I part company with my friends who favor this proposal because I believe I have the Constitution on my side.

The first constitutional provision is this. With great humility and out of consideration for all the people, the Founding Fathers put a provision in the Constitution which says that the qualifications of electors to Members of Congress and national offices shall be the same as those who vote for members of the State legislature and local offices. The qualifications before this proposal would reverse this principle. It would make a special provision applicable to Members of Congress and national offices only. It would provide that when a candidate enters a primary for Members of Congress or national office, he could not be required to pay a poll tax, but when voting for a local officer on the same ballot he could be forced to pay a poll tax. Strangely enough, the proponents of this measure use this very argument to get votes for the pending proposal. On reflection I say to you that this is the greatest argument against a vote for it.

Why make a special provision for Members of Congress and national officers? What is the occasion? Those of you who vote for this resolution must face the fact that you will not be able to tell the folks back home, "Look what I did for you." You will have to tell the mayor of your town, your sheriff, your justice of the peace, and on up to your Governor, "Look what I did for me."

Oh, I know, you might be able to whisper to these local officials that you could not make such a provision for them and so for the time being you made the provision only for yourself. But they might well say to you, "Did you try? Did you make a fight for us? Did you offer an amendment to include us?"

And then, too, you might be able to tell your political friends that to match the tactics of those of the opposite party you had to do something special for a special minority group—a minority who are not in a majority and in that sense are deceiving themselves, and to that extent are deceiving the people of innumerable minority groups. For example, the Catholics as such are not in a majority and in that sense are a minority group. No one sect of the Protestants constitute a majority and in that sense, they, too, are minority groups. Suppose some of these days any one of these groups tells you, "Out of political consideration you always give us this special provision for one minority group; when are you going to start doing something for us?" What are you going to say? Will you let them off the hook? Will you tell them, "Your turn will come next."

But this, in my opinion, would violate another constitutional provision, which, in plain language, states that the time, place and manner of elections shall be left up to the States. The constitutional amendment before us today, if passed, would be an entering wedge of our Constitution, and further through pressure groups, however sincere, would inevitably lead to other amendments concentrating the entire...
privilege of voting is derived from the State, and not from the National Government.” The Supreme Court in Minor v. Happersett, 21 Wall. 162, held that “the Constitution of the United States does not confer the right of suffrage on anyone”. Suffrage is a right enjoyed among the States. It becomes a right only if denied under the guarantees of the 15th and 19th amendments. A person may vote only if he meets the qualifications prescribed by his State.

The operation of the poll tax does not create a problem which requires solution by a constitutional amendment. The urban legislations purporting to outlaw the poll tax against constitutional attack should not be ignored by this House. This body will not be justified in the passage of the proposed resolution.

It is claimed by the proponents of this joint resolution that it is necessary as a civil rights measure. If such were true, the Supreme Court would have long since outlawed the provisions of the 15th amendment instead of upholding it as a legitimate exercise of a State’s power.

The Civil Rights Commission in its 1961 report did not make a single reference to an instance in which the poll tax requirement had been administered in such manner as to discriminate against any voter or class of voters.

In my own State, the effect of the amendment’s provisions upon State election machinery would be disastrous. Whereas now only one list of voters must be kept, under the proposed amendment the States would have to keep two, maintained inasmuch as the constitution of Virginia requires the payment of a poll tax. One set would list those who had complied with State law and could, therefore, vote in State elections; the other set would list those persons who, though they had not complied with the law in State elections could vote in elections for Federal officers. This would be wholly unworkable. Our system has worked well. We are not discriminating against any one, and the record so bears this out.

In closing, I would like to reemphasize the following general objections to the proposed amendment:

First. The proposed amendment is not consistent with the principles of a Federal system of government as outlined in the Constitution.

Second. The existence of a poll tax does not create a problem which demands solution by constitutional amendment.

Third. The proposed amendment, if adopted, would deprive five States of a source of substantial revenue.

Fourth. If adopted, the proposed amendment would abolish a tested and proven method of maintaining proper voters rolls.

Fifth. Adoption of the proposed amendment would establish a precedent for future amendments, which properly may be referred to as “national referendums,” on any item in a State’s laws that fail to meet the approval of the other States.

Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. Lindsay).

Mr. LINDSAY. Mr. Speaker, I am very much opposed to poll taxes, and that is why I voted for this bill, but I do so with a heavy heart.

This is probably the greatest piece of legislative gamesmanship that has come to this floor of the Congress. This is a great day also for the antivoting rights proponents. It may sound strange to some of you, but I am going to agree pretty much with my good friend, the gentleman from Louisiana (Mr. WILLS). First of all, this is a fantastic procedure under which to amend the Constitution—an up or down vote, no debate permitted, no motion to recommit possible, a total of 40 minutes of debate. Secondly, the result sought to be achieved can and should be achieved by a simple spot vote.

Leadership on the majority side, who are running this show, Mr. Speaker, ought to be proud of themselves for handing us this dish of tea. Under this procedure, which they casually and cynically tinker with the U.S. Constitution, for political reasons, to get off the hook on civil rights. They would amend the Constitution to abolish the poll tax, and it would be wholly unworkable. Our system has worked well. We are not discriminating against anyone, and the record so bears this out.

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delivered on the deal not to give the country significant or meaningful civil rights legislation. I think it is a pretty sorry show. This is known as an "off the hook" bill—a show device that will get the administration off the hook for breaking its pledges with the American people on civil rights.

The present Attorney General of the United States came to the Judiciary Committee and mainlined that the requirement in Federal elections can and should be eliminated by simple statute. And do you know when he changed? He changed when the President of the United States got caught in a press conference and came out for a constitutional amendment on the subject of the poll tax in Federal elections. This was part of the administration's original deal with southern committee chairmen. And then the Attorney General, of course, fell in line.

Mr. Speaker, if we are going to amend the Constitution, the amendment ought to be meaningful. It ought to be debated at length. Such an amendment should abolish impediments to voting in local elections as well as State elections, and should go to Members of Congress. The real difficulty lies at the local level, in school boards and in those other areas where the anti-civil-libertarian forces go to work to the detriment of all citizens of this country and to the detriment of the free democratic process. Such an amendment, further, should do away with all obstructions to the right to vote.

And what has happened to all of the civil rights legislation that was promised in the Democratic platform and over and over again in the 1960 campaign? I will tell you what has happened. It has gone down the drain in the trade that was made by this administration not to give the rights legislation. I think it is a pretty significant or meaningful civil rights legislation that was promised by this administration not to come up with a bill—a show device that will get the administration off the hook for breaking its pledges with the American people on civil rights.

Mr. ALGER. Mr. Speaker, I have only 1 minute but I want to tell my colleagues I have always been against the poll tax as a voting qualification in the State of Texas, but the end does not justify the means. If we want to change this State prerogative in Texas, Texans will do it in good time at Austin, Tex. This resolution today is the wrong way to do it. We do not have discrimination in Texas because of the poll tax, but whether we do or not, it is not the business of the other States to tell us our voting qualifications. I wish my colleagues who have brought this up in the regular way, that they are trying against the poll tax. But this is the wrong way to do it, and you will live to rue the day you do it.

I want to commend the gentlemen who wrote the minority views. I would like to read the court decision of Butler versus Thompson, time prevents, so I commend it to your consideration. This resolution is wrong, and I hope it is voted down.

Mr. RAY. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, 4 minutes. I have been here a long time. I hope that the walls of this Hall will never ring again with the kind of a farce that has been put on here today. If next year the United States to be amended, when no one can offer an objection or an amendment to it, when no one can raise his voice in extended debate, but 20 minutes for and 20 minutes for and against the poll tax. It is unprecedented in the annals of this Government for an amendment to the Constitution, no matter how insignificant it may be, to be considered here under this procedure.

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

Mr. SMITH of Virginia. I decline to yield. I have only 4 minutes, and I regret very much, much more than the gentleman does, I am sure, that we do not have additional time.

I heard one of the speakers—and by the way, the best arguments I have heard for the defeat of this resolution have come from the Republican side. This should not be done in this way. It shows disrespect and disrepute of the great Constitution of the United States.

Gentlemen, how many of you are going to be proud of the vote you are about to take? To exercise the prerogative of both parties, because the Republican leadership is just as much responsible for this as the Democrats. They do not put bills of this controversy on the Suspended Calendar unless they have the consent and approval of the minority leadership. So do not lay it on the Democratic side, and I am not excusing the Republican leadership, because I would have brought this up in the regular way. Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I decline to yield. If you had cooperated with us in fixing this thing so that we would have some time to debate a proposed amendment to the Constitution we would have been glad to discuss it and discuss it fully and on its merits. But this resolution could have been brought up here in the regular way. Some of you will remember that just 18 months ago the leadership of this House packed the Committee on Rules so that they would have a majority vote on it. They could have gotten it out of the Committee on Rules with a majority vote if they had bothered to do it in the democratic way and permit the House to vote on it. Yet, this House is going to vote for this in this extraordinary situation, and they are going to do it under political pressure to please a minority group. We all know that, everybody knows that, the country knows that. What is this country going to come to when we, supposedly responsible and dignified Members of the Congress, "crook the pregnant hinges of the knee" at every call and at every demand of any minority group in this country in order that some votes may be controlled? Is that the kind of government that we are going to run from now on? Think it over. Vote for it, as you will. Vote for it, as I know you will; and knowing so, vote for it under pressure—under political pressure from a minority group—and then regret it as long as you live.

The SPEAKER. The time of the gentleman has expired.

Mr. RAY. Mr. Speaker, I yield one-half minute to the gentleman from Georgia [Mr. FORRESTER].

Mr. FORRESTER. Mr. Speaker, Georgia levies no poll tax. Only 5 of our 50 States do. Nevertheless, the levying of poll taxes has always been a matter for decision by the respective States, and I hope it will continue to be. The 5 States still collecting a poll tax have as good morals, as much respect for law, as efficient government as the other 45 States. This statement cannot be challenged. To say that a $1 or $2 poll tax prevents anyone from exercising the right to vote is only 1 of 2 arguments. It is a poll tax serves no good purpose but, conversely, it serves no evil purpose. It is a right that the States have exercised from the beginning and a right that can be granted without a constitutional amendment prohibiting such tax.

The committee is to be congratulated on recognizing the fact that only a con-
stitutional amendment can deprive the States of the power to levy such tax, and proceeding by way of constitutional amendment rather than by statute which would undoubtedly have been illegal. I cannot believe any good will be accomplished by striking down the rights of the States to levy a poll tax for the purpose of trying to cure an imaginary ill nurtured by minority groups.

Appealing of minority groups' unreasonable demands is making us ridiculous in the eyes of the people of the world.

Mr. Speaker, I am unanimous in the sentiment that all Members may have 5 legislative days to extend their remarks on the pending resolution before the vote is taken.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RAY. Mr. Speaker, I yield the balance of the time remaining to the gentleman from New York (Mr. Halpern).

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

Mr. HALPERN. I yield to the gentleman.

Mr. HALLECK. Mr. Speaker, I do not want to get into any controversy with any of my colleagues, but I just want to say that a clear majority of the House agreed on a motion which would have provided for the record and understood that today is the regular day for considering legislation under suspension of the rules and discussion. The main purpose of the motion and so far as suspensions are concerned, it was within the province of the Speaker and the majority leadership to schedule them, and that is what has been done.

Mr. HALPERN. Mr. Speaker, I am in favor of any step taken in the direction of outlawing this undemocratic, feudal practice of placing a price tag on the right to vote.

Mr. Speaker, I would much prefer that the poll tax be outlawed by statute rather than by an amendment to the Constitution, as this House has authorized five times previously. There is a big question as to the effectiveness of going the amendment route—obtaining approval of three-fourths of the State legislatures is a long, difficult, and tedious process, to say the least.

We are history, however, faced with no other alternative under the rule and the circumstances here today but to support this constitutional amendment. Despite the question of the effectiveness of this method, I definitely shall support this Senate Joint resolution.

It is vital that the Congress go on record the wish of people that the poll tax be repealed. Mr. Speaker, I urge a massive vote for passage.

Mr. CELLER. Mr. Speaker, I yield the 1 minute remaining on this side to the gentleman from Colorado (Mr. Rosses).

Mr. ROGERS of Colorado. Mr. Speaker, I regret that the gentlemen from Virginia should say that we were placed under a gag rule. But we could not present the matter to the House so that this constitutional proposal could be amended. I want to direct attention to and read a letter from the gentleman from Virginia, addressed to the chairman of our committee, which reads as follows:

If the gentleman from Virginia and others are interested and do not want the Constitution amended, or us to have an opportunity to say how it should be amended, why did he not, upon the request of the chairman of this committee, grant a rule so that we could come in here and discuss it in every particular?

Mr. DEVINE. Mr. Speaker, when we are faced with one of the most serious abuses of the operation of our Constitution: when we are revising the very document that is the foundation of the great Republic; when the Constitution of the United States is to be altered in any manner whatsoever, it well behoves this Congress to follow orderly, calm, and comprehensive procedures to assure full and complete debate and discussion, without constraint.

Here today, under a procedure to suspend the rules and pass a bill designed to amend the Constitution of the United States we are gagged, full debate and discussion are prohibited, and only 20 minutes is allowed for each side.

As the gentleman from New York (Mr. Lindsay) so ably stated, here we are "tinkering with the Constitution and with our State's Constitution, and so are prohibited to talk about the merits of the legislation. And the gentleman from New York has a sound record in favor of civil rights legislation.

It is quite apparent this bill will pass, and the easy and politically expedient vote would be "aye." However, it is a travesty to manhandle the Constitution by this deplorable procedure, and I will not be a party to such practice.

My district has nearly 16 percent non-white population, and they properly have equal voting rights without restrictions such as the poll tax. This bill will neither give nor deprive my people of anything. I feel, however, that the constitutents in my district would not approve of the offhand manner in which this House has rushed the Constitution of the United States.

Mr. POFF. Mr. Speaker, in my first campaign for Congress 10 years ago, I registered my opposition to the poll tax as a price tag on the voting privilege. I prefer to see the States repeal the poll tax.

I am opposed to a Federal statute on the subject.

I am opposed to a constitutional amendment if that amendment reaches into State and local elections.

However, a constitutional amendment which is confined to Federal elections and which is ratified by the States as the Constitution provides is not an unconstitutional invasion of States rights, and, if such an amendment I feel obliged to support.

Mr. ABERNETHY. Mr. Speaker, the great Constitution of the United States is the greatest document ever written by freemen. It is renowned and acclaimed throughout the world. It was assembled only after the loss of life and shedding of blood by men who made the sacrifice to establish and preserve the dignity of man.

It is to be regretted, Mr. Speaker, that the greatest assaults made upon our Federal Constitution in this day and age have been made by our highest Court, the personnel of which seem to feel that they have the right to twist and turn its provisions to their own thinking, and by the Congress itself.

An assault is being made on this great document today by Members of this House who, I regret to say, have their eyes on the forthcoming election much more than they do on the Constitution. Under tremendous pressures—political pressures, if you please—there is a bending to political expediency. The objective is not to please or improve standards but to collect votes. That is to please special minority groups in other States, primarily in the northeastern region of the country. The action is being taken with the hope, the design, and the ambition to curry favor, and to secure the political endorsement of these minorities, on the next election day.

This horrible assault will be made, Mr. Speaker, under a procedure which gags members of this body, whisks away from them the right to debate the issue freely and fully, which denies the offering of the slightest amendment, and without the voters possibly understanding the consequences of such a far-reaching resolution.

There are resolutions and bills which may be properly and satisfactorily considered under a time limitation of 40 minutes as the rule under which we are now operating provides. There are resolutions and bills of such simple character that amendments thereto would be unworthy. But, Mr. Speaker, indeed a resolution which has the effect of changing, altering, amending, defacing, or whatever you may call it, the Constitution, one of our greatest assaults on our Constitution should never be submitted to and swept through this House in such a ruthless and tornado-like fashion. What a terrible precedent.

Furthermore, Mr. Speaker, the adoption of this resolution will provide a most dangerous precedent for future proposals to further eliminate variations among the various States with respect to voter qualifications. These qualifications deal with age, with education, with residence and so on. Without any doubt, the action which appears inevitable here today will lead to other assaults, from
the Federal level, on the sovereignty and dignity of each of the great States of our Union.

While there may be differences of opinion as to the appropriateness of a poll tax as a condition to voting, the courts have on several occasions sanctioned the constitutionality of such and held that the imposition of the tax was a matter of decision and determination for each State.

This resolution is another move toward conformity, to make all States and all States alike. The strength of our country lives in the individualism our citizens, of groups of citizens, of our great cities, and our States. But apparently the minority groups are not satisfied with the individual characteristics, traits, customs and practices among our people. So, through organization and organized political pressures they are forcing House Members today to take another step toward conformity.

Finally and simply, Mr. Speaker, is it not absurd to suggest in this day when personal dignity, interests and traits of minority groups are well known, has dared not make such a contention. In fact, it has intimated and almost firmly held that the imposition of the tax was an unprecedented step. I know that many, if not most, of you are concerned. I know you do not like this procedure. And I know you would rather this issue not be here. Pause a moment, if you please. If your conscience tells you to go slow, then do it.

Mr. BENNETT of Florida. Mr. Speaker, there are sound reasons to abolish the poll tax requirement for voting in Federal elections. One is that it is a step backward in democracy. There is another which I would particularly call attention to. Experience has shown that the existence of such a tax is a temptation toward its payment by others than the person designed to be taxed. This in turn has been a temptation toward the payment of money in an effort to control the vote of the person whose tax is paid by another. This is reason enough for me to support this measure. In conclusion, I would like to pay particular tribute to the primary exponent of this measure, the senior Senator from Florida, Mr. Witherspoon. In his leadership in this is the chief factor in its passage.

Mr. ROOSEVELT. Mr. Speaker, every step forward, even a small one, is important to the full voting rights for citizens of the United States. The vote of this House takes nothing away from the States for the States must vote by a majority of their people on this constitutional amendment effective. The strength, and not the weakness, of our form of government comes from our ability to understand compromise. Better late than never, but this is a vote which every American can be proud.

Mr. JOELOSSON. Mr. Speaker, I want to express my complete support of this measure designed to eliminate the poll tax. It is my opinion that the poll tax system is essential of the basic elements of democracy.

It is unthinkable that in the United States, there are still areas in which an individual must pay for the exercise of their right to vote. Such a system tends to discourage our poorer citizens from the exercise of their precious right of choosing their officials.

There is a possibility in certain sections of our country, our poorer citizens among the Negroes have been prevented from voting by the poll tax as well as by other less subtle forms of persuasion.

Mr. Speaker, the poll tax is undemocratic and un-American. It is a blight that must be eliminated from our Nation.

Mr. WINSTEAD. Mr. Speaker, I rise in opposition to the adoption of Senate Joint Resolution 29, which seeks to prohibit the payment of a poll tax as a qualification for voting.

It is indeed unfortunate that the tax is known as a poll tax, for a great percentage of the public at large is under the impression that this is a tax on the polls or places where voters come on election day to cast their votes, and this tax is therefore regarded by them as a fee to be paid for the privilege of voting. It is plain to see that this point of view would incense those who held it. However, this is not the case at all. The word "poll" is an old Anglo-Saxon word meaning "head," and the poll tax is merely a head tax. The law dictionaries define a poll tax as a capitation tax; a tax levied on every head, that is, on every male of a certain age, and so forth, according to statute.

In my State a head tax of $2 is levied annually on each person with certain exemptions, and the revenue thus produced is used to support our schools. Every person must pay this tax, regardless of sex, race, color, and whether or not they choose to vote. There is no discrimination. All are treated alike. All must pay it except those who come within the exemptions, and only those come within the exemptions who we think cannot afford to pay it, namely, the deaf, the dumb, the blind, the maimed, and the aged. A person who chooses not to vote still owes the tax, and although in my State no criminal proceedings are allowed to enforce its collection, such tax is made a lien upon taxable property. What is its connection with voting? We think that a person who fails to pay this tax is subject to the disqualification to his State is not qualified to participate in the political affairs of the State. His disinterest and disregard for obligations has disqualified him. Is it a misinterpretation of a tax evader's disqualification so erroneous that 45 States are willing to unite and invade the domestic affairs of the 5 other sovereign States to compel them to collect this tax? It is true that it is proposed that this be accomplished by constitutional amendment. The method is correct but the House takes nothing away from that we pause and take a sober look at what is transpiring in this Chamber today. The issue appears to have simmered down to a choice between legislation and a constitutional amendment. I know that some of my colleagues feel that they are making a great concession to the cause of our national unity for forgoing an attempt to repeal the poll tax by statute and voting instead for the constitutional amendment proposed by Joint Resolution 29. This is truly a noble gesture and I deeply respect them for it. They are men of honor and intellect; and some of them may possibly be sincere in their efforts to accomplish what they think is right; but they are mistaken in their judgment of the real issue. In their desire to choose a method which is legal, they have overlooked the illegality of the goal.

Since no reputable evidence has been offered by the proponents of this legislation to show that the poll tax requirement, in any of the so-called, disfranchised States has ever disqualified or disfranchised any person from voting, one is prompted to question the reason why this legislation is being considered at this time. In the United States, there are sound reasons to abolish the poll tax requirement for voting. Gouverneur Morris was against making the qualifications of the electors of the National Legislature depend upon the payment of a tax. Colonel Mason argued that—

A power to alter the qualifications would be dangerous in the hands of the Federal Legislature.

Mr. Elsworth claimed that—

The qualifications were on a most proper footing. The right of suffrage was a tender principle of American government.

Mr. Speaker, every step forward, even a small one, is important to the full voting rights for citizens of the United States. The vote of this House takes nothing away from the States for the States must vote by a majority of their people on this constitutional amendment effective. The strength, and not the weakness, of our form of government comes from our ability to understand compromise. Better late than never, but this is a vote which every American can be proud.
Government has succeeded in making uniform one qualification for voting, otherwise it will follow: Do you think that this is done by constitutional amendment. Do not overlook the fact that if 45 States can unite to repeal the poll tax laws of 5 States, 41 States can unite to repeal the law of the 9 States which disqualify paupers from voting, 47 States can unite and remove that law and void the laws of 3 States which disqualify inmates of charitable institutions, and States may compel the other 4 States to raise their minimum age for voting to 21 to conform to their own minimum. I could go on and on, but I have aroused your interest sufficiently so that you will note the dangers existing to your own State. Once we embark upon such a path, there will be no authority left in the States over their own voters and the inevitable result will be the Federal pre-emption of the entire field of voting.

This question of the poll tax has come up in every session of the Congress since 1920. The issue is whether or not the present practice of assessing and levying a poll tax in their States is a violation of the United States Constitution. But it is a fundamental right, for it is the one ultimate means by which the American people retain control of their government. Any law which is a form of discrimination, in any form of discrimination, which interferes with the free exercise of this right must be condemned as an affront to the principles of American democracy.

Historically, one of the most obnoxious forms of such a limitation has been the poll tax. It has no reasonable relationship to the right to vote and, in fact, has been used in certain circumstances in order to discriminate against and prevent groups in our society from exercising this right. Even though only five States today require the payment of a poll tax as a prerequisite to voting, it is nevertheless as important as it ever was—and a long overdue moral requirement—that our Government formally and officially, by appropriate legislation, eliminate the poll tax.

While I intend to vote for this legislation, on the ground that it represents the only opportunity Congress will have to remove this poll tax, I am bound to say that a poll-tax payment requires only a very small amount of an evasion of the real idea, for the primary requirement is whether the amount is small or large; besides, what is a trifling sum for one person may be a formidable sum for others. I am proud to know that as a Representative from Pennsylvania I represent all the people of my district and not only those who can pay a small sum in order to partake in the political af-fairs of their State.

This should be so in every State in these United States. America now stands as a tower of strength and a shining example of democracy, and the fact is that our laws are vitiated by ap­pointing a nation so mighty and so advanced shall still permit a segment of its population to be disfranchised for failure to pay a poll tax? Let us but give our people an opportunity to vote on this issue and they will shout their ap­proval of eliminating the poll tax.

Mrs. Dwyer. Mr. Speaker, the right to vote is only one of several rights that need protection by the Constitution of the United States. It is not the one ultimate means by which the American people retain control of their government, but it is a fundamental right, for it is the one ultimate means by which the American people retain control of their government. Any law which is a form of discrimination, in any form of discrimination, which interferes with the free exercise of this right must be condemned as an affront to the principles of American democracy.

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Mr. Speaker, Mr. Dwyer. I say that there is really no need for any action in this field on the national level. In 1920, 12 States had a poll-tax requirement as a prerequisite for voting. Today only five States still have such laws. North Carolina repealed her law in 1920, Pennsylvania in 1933, Louisiana in 1934, Florida in 1937, Georgia in 1945, South Carolina in 1951, and Texas in 1953. Each of these 12 States repealed the requirement when her people felt that there was no longer any need for it. Since Congress did not find it necessary to amend the Constitu­tion to prevent the reappearance of the poll tax in any of these 12 States, why is there a need for such action now when only 5 States still have such laws? Let us refrain from taking any action on this resolution, as did our colleagues in the past, and let us leave it to the five States themselves to take the necessary action sought by Senate Joint Resolution 29. I strongly urge this, lest the tide of federalism, once submerged, become so great that we can no longer stem it. Then will our State sover­eignty, which we have so zealously sought to preserve, no longer exist.

Mr. Moorhead of Pennsylvania. Mr. Speaker, I favor the elimination of the poll-tax requirement as a prerequi­siste for voting.

Mr. Speaker, it is a democracy and the right to vote is one of the privileges of living in a democracy and is guaranteed to every qualified citizen of the United States. Surely it was not contemplated by the framers of the Constitution that only those who vote who could and would pay a poll tax. The claim that a poll-tax payment requires only a very small amount of an evasion of the real idea, for the primary requirement is whether the amount is small or large; besides, what is a trifling sum for one person may be a formidable sum for others. I am proud to know that as a Representative from Pennsylvania I represent all the people of my district and not only those who can pay a small sum in order to partake in the political af-fairs of their State.

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Although the State may establish qualifications for voting, article 1, section 2, of the Constitution is subject to limitation and local exceptions. Article 4, section 4, of the Constitution provides:

The United States shall guarantee to every State in this Union a Republican Form of Government.

The basic principle which article 4, section 4, protects is that State governments must govern "with the consent of the governed." Article 1, section 8, of the Constitution gives the power to Congress "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

There is no reason why this legislation should not be applied to State and local elections as well as Federal elections. The poll tax prevents Negroes from participating in the election of Governors, mayors, State legislators, aldermen, sheriffs, and city, county, and Statejudges. Here Federal requirements in both Houses of Congress are aimed directly at the poll-tax legislation. There is no reason why the State of Mississippi should not in fact, by this amendment, make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

The highest Negro median income in all 15 was only $885, and this was well below the lowest median income in the counties. (U.S. Commission on Civil Rights Reports, "Voting," 1961, vol. 1, p. 183.)

Mr. Williams. Mr. Speaker, this is a sad day for those who believe in constitutional government. Mr. Speaker, this is a sad day for those who believe in representative government and those who have had faith in the House of Representatives and its historical tradition of justice.

Under the current suspension procedure which we are operating today, we are considering a far-reaching amendment to the Constitution in only 40 minutes.

Mr. Speaker, the puny arguments advanced in support of this amendment center around the supposition that poll taxes prevent Negroes from voting. Mr. Speaker, I favor a really effective constitutional amendment. I am not concerned with strategy or technicalities in this vote. If we were presented today with an effective constitutional amendment, whatever its form, I would vote for it.

But today we are presented with a travesty, a political maneuver which sickens me. This constitutional amendment really does not accomplish much. It is a hollow shell. It will apparently have no significant effect upon Negro rights anywhere except in Alabama and Mississippi and its effect upon the Constitution is limited in its purview to Federal elections. It does not begin to face the real issue of deprivation of voting rights at the local and State level.

Mr. Speaker, I am not going to vote for this amendment. It is a political package that can spend, spend, spend. Tax, tax, spend, spend, elect, elect, has new zeal.

Mr. Speaker, the downfall of this Republic is assured when bloc voting minorities obtain absolute control of the executive branch of the Government. This proposed constitutional amendment takes us a long step toward that goal. We are witnessing the disintegration of the United States where people are relieved of the responsibility of citizenship the selfish can lead them like sheep.

Mr. Speaker, I sincerely believe that Senate Joint Resolution 29 abuses the constitutional process. It is a pretty political package that can only disappoint its recipients when its meager con...
tent is revealed. It sets a precedent for
whimsical, frivolous and almost mean-
ingless amendment to the basic docu-
ment of our Republic. This Congress
should never enrage in such delusive ac-
tion. I am ashamed that we are called
upon today to do so in the name of pro-
tecting minority rights. I defy any of
my colleagues in the House to exceed in
civil rights the gentleman from New
York who now addresses you. I tell you
with all my heart, however, that I cannot
be for something good is wrought because
by his right purpose and a right label.
It is never easy to explain or
justify a vote against wrong when that
wrong is wrapped in the bright tinsel of
right. Yet I have a deep appreciation for
Mr. Speaker, that history will judge us not on
the tinsel but on the substance of our
legislative endeavors.
In that conviction, I vote a tortured "no" to this constitutional amendment,
knowing full well that today friends of
human dignity will condemn me, but
confident that history will eventually
cast its vote in the negative on Senate
Joint Resolution 29 and the circum-
stances of its passage in the Congress of
the United States.
Mr. STRATTON. Mr. Speaker, the
vote being taken today on this resolution
represents the culmination of one
important phase of the long fight against
discrimination in America, and in behalf
of full implementation of the equal
right to vote as guaranteed by the 14th
amendment to the Constitution. Over
the years the poll tax has been one of
many devices that have been used with
the intention of denying to Negro citi-
zens, generally in our Southern States,
the right to vote which was supposedly
guaranteed to them by the 14th amend-
ment. In fact it is a little hard to realize
that though we have talked and fought
for more than half a century the poll tax
is revealed.

Mr. ADDABBO. Mr. Speaker, I rise in
support of Senate Joint Resolution 29, a
constitutional amendment to abolish the
poll tax.
Although I believe a serious question
involving an amendment to the Consti-
tution should be brought up under the
regular order of the House and sufficient
time be given for debate and amend-
ment, to fully protect the rights of all
voters. It is our responsibility to which
such process is stopped by the power of one
man and a small minority to take this
action to protect the right of all qualified
to vote, even though under present laws
only a few may be denied this right be-
cause of a poll tax.
In this day of so much apathy and
so many who have the right to vote not
using this great privilege, I believe it is
our responsibility to at least give to all
those qualified to vote the right to do so
without having to pay for that right and
to continue to work for the moral rights
of all.
Mr. DINGELL. Mr. Speaker, I am de-
lighted that the House of Representa-
tives is finally considering an amend-
ment to the Constitution of the United
States outlawing poll tax as a require-
ment for voting.
I was the first sponsor of such legisla-
tion in this Congress and feel that it is
an important step toward adequate pro-
tection of the rights of all the people of
this great land of ours.
This legislation will work together with
the voting rights of the Civil Rights
Acts of 1957 and 1959 to encourage wide
voting participation of all races and
classes of people within this country and
should do much to raise the level of voter
participation in States where poll tax is
now used.
States using poll tax had the lowest
level of voting in the 1960 presidential
elections and indeed rank among the
lowest in voter participation of all the
States, as shown below:

<table>
<thead>
<tr>
<th>State</th>
<th>Total vote</th>
<th>Percent voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mississippi</td>
<td>296,171</td>
<td>25.6</td>
</tr>
<tr>
<td>Alabama</td>
<td>564,346</td>
<td>43.3</td>
</tr>
<tr>
<td>Virginia</td>
<td>771,449</td>
<td>41.6</td>
</tr>
<tr>
<td>Arkansas</td>
<td>14,069</td>
<td>43.3</td>
</tr>
<tr>
<td>Texas</td>
<td>2,313,670</td>
<td>42.3</td>
</tr>
</tbody>
</table>

Voting levels in these States show
clearly that the poll-tax question has
been unfairly minimized and I said
earlier on the floor of Congress in
connection with this legislation a constitu-
tional amendment outlawing the poll tax
should be enacted for a number of rea-
sons:
First. It affects persons of all
races, places, job conditions, and economic
levels.
Second. It strikes at this evil in all
elections, primary and general.
Third. It prohibits enactment of sub-
stitute legislation by Federal and State
Governments.
Fourth. It prohibits other taxes being
used as a device to evade the legislative
purpose of the amendment.
Fifth. It prevents the Federal Gov-
ernment and the States from setting up
property qualifications as a prerequisite
for voting in elections for Federal offi-
cials.
This measure alone will not solve the
problems of full voting equality and real
citizenship for our people. It is equally
true that a number of other measures
must be promptly taken to permit our citi-
zens, Negro and white alike, to enjoy the
right to vote but in all the benefits of
citizenship in our beloved land.
It is indeed regrettable that this is
perhaps the best effort of this Congress
to fulfill the ideals of our people. But it is
a long stride forward, and if followed by
other strides in each coming Congress
can make full realization of the belief we
Americans express in the
dignity of man and in the words of the
Founding Fathers "that all men are
created equal" and the biblical ad-
monition that we are indeed "our
brother's keeper."

POLL TAX IS ANTI-VOTING REQUIREMENT
AND SHOULD BE ABOLISHED

Mr. BOLAND. Mr. Speaker, I rise in
favor of Senate Joint Resolution 29 and
hope that it is approved today by an
overwhelming vote. The adoption of this
proposed constitutional amendment is to
prevent the United States or any State
from denying or abridging the right of
citizens of the United States to vote in
any primary or other election for Presi-
dent or Vice President, for electors for
President or Vice President, or for Sena-
tor or Representative in Congress be-
cause of an individual's failure to pay
any poll tax or other tax.
The proposed constitutional amend-
ment further confers upon the Congress
of the United States the power to enforce
this proposed article of the Constitution
by appropriate legislation.
Federal legislation to eliminate poll
taxes, either by constitutional amend-
ment or statute, has been introduced in
every Congress. Bills to ban the
poll tax by statute, rather than by
constitutional amendment, had been
approved five times between 1942 and 1949
by the House, but died each time in the
Senate. This Congress adopted con-
stitutional amendments on two occa-
sions, in the last Congress and the pres-
tent bill.

President Kennedy said in his state
of the Union message on January 1, 1963:
The right to vote should no longer be
arbitrarily denied through such injurious
local devices as literacy tests and poll taxes.
Mr. Speaker, the fact of the matter is
that the poll tax is an evil in our society and
is widely regarded as an unjust tax in
unfairly disenfranchising Negroes,
white people, and Indians in the South.
Bills to ban the poll tax by statute, rather than
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approved five times between 1942 and 1949
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sions, in the last Congress and the pres-
tent bill.

POWELL DISCOURAGES ELECTORAL PROCESS
PARTICIPATION BY MINORITIES

The poll tax is an arbitrary and re-
strictive requirement, contrary to our
democratic principle of civil rights, and
specifically designed to deny minorities

of their rights and privileges of citizenship. It should be abolished. While the amount of the poll tax now required is small, it is an insult, and it is a right to be eliminated. It is a right of all Americans to be relieved of any kind of tax on the right to vote. For some people this financial imposition may be enough to discourage participation in our public life in the world is to remain spotless and if the right to vote is to remain as a fundamental to free democratic government.

Mr. Speaker, the right to vote is the core of our democratic process, and the foundation upon which good citizenship is built. It is the most precious attribute to American life itself. It is a right denied to tens of millions of enslaved peoples and captives of communism throughout the world. It is a right that we must guarantee to every American. The right to vote is an inalienable right of every American and the right to express his choice of those who are to govern the affairs of the Nation.

The imposition of the poll tax is a barrier to the right to vote. It ought to be eliminated. I personally favor the form of legislation that was passed in earlier Congresses so that relief can be afforded through statute law. This would be a much quicker procedure than the method of using a constitutional amendment.

Too long have citizens in this country been deprived of their right to vote. Access to a polling booth has slammed shut in the face of many citizens merely because of their race. Various methods have been used to effect a disenfranchisement of Negroes and imposition of the poll tax on the feeble and the blind.

But the poll tax does not limit Negro suffrage only. It limits white suffrage, as well. Placing the payment of a fee between the voter and the ballot box is distinctly not in keeping with the ideals of our democracy. Equal justice under law is the cardinal American tenet, and equal justice applies to all Americans.

Mr. Speaker, every American should have an opportunity to try for office if he wishes, and to influence the conduct of Government on an equal plane with other American citizens. The poll tax prevents this and it should be eliminated. I am happy to support this legislation.

Mr. VANNIK. Mr. Speaker, although a case might be made for the elimination of the poll tax by the enactment of appropriate statutes, it is quite apparent in this situation that the ratification of this amendment to the Constitution will bring speedier and more certain elimination of the poll tax than any method of enacting by statute.

The proposed amendment would outlaw the poll tax in Federal elections only. Its application would coincide with the choice of either foregoing considerable revenue and abandoning a convenient method of registering voters, or selecting dual ballots and voting procedures, one for Federal and one for State elections. Worse than this, the adoption of the amendment would provide a dangerous precedent for future proposals to eliminate all and any State with respect to voter qualifications, such as age, education, and residence. It would mark further erosion of the constitutionality of Federal election and its recognition of the residual sovereignty of the individual sovereign States of the right to conduct their internal affairs without interference from the Federal Government.

To sum up, as we shall show, the resolution should be rejected because it is inconsistent with the Constitution and the legitimate need can be served by its adoption, because it marks a flagrant intrusion into State affairs, and because its adoption would open the door to further regimentation in matters traditionally reserved to State and local superintendence.

CONSTITUTIONALITY OF POLL TAXES

The Founding Fathers long and vigorously debated the question of qualification for voters in Federal elections and resolved that these qualifications should be identical with those used by the respective States for their own elections. In the proposed amendment, the 14th amendment, any legitimate need can be served by its adoption, because it marks a flagrant intrusion into State affairs, and because its adoption would open the door to further regimentation in matters traditionally reserved to State and local superintendence.

The poll tax in my State is $2. Under the constitution of the State it goes to support the schools. Can anyone imagine that any citizen who is unwilling to pay a $2 a year for public schools does not deserve to vote?

Mr. Speaker, that continues to be the intent of our Constitution. Through the years, however, where voting was a privilege and not a right, with time many special groups have come around to withholding this right. Penalizing people for not voting as though a threat to keep them needed an electorate who had a sense of responsibility themselves, who had an interest in public affairs.

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The poll tax in my State is $2. Under the constitution of the State it goes to support the schools. Can anyone imagine that any citizen who is unwilling to pay a $2 a year for public schools does not deserve to vote?
we will see the Federal Government attempting to set up and control residential requirements, age requirements and various other things now clearly within the power of the State—as is set out in the do-nothing report. With that, we will see more and more pressure of politics, more and more appeal to elections by public clamor and more and more demands for domestic control and international situation of our Nation.

Mr. Speaker, as one who believes the Founding Fathers were right in their allowances for differences in the various States and in recognizing that each State was the best judge of how to have responsible management, right in recognizing that the States were the best judges of how to qualify a responsible electorate, I deplore the action of the Congress in taking the step which they do here today. I can only make my protest and point out, as I have on so many other occasions, that the act by which we are doing now will do nothing toward holding public schools as they do in my State. $1.50 in Federal elections. Mr. GALLAGHER. Mr. Speaker, I rise in support of this proposed amendment to the Constitution, which would abolish the poll tax as a requirement for voting in Federal elections.

It is high time that this antiquated device be removed, by which payment of the poll tax is presently a requirement for voting are among the lowest seven States in the union in voter turnout. It is not coincidental that these five States are among those States with the highest concentration of Negro citizens. Those who oppose equal rights for Negro citizens always argue that the Southern States should be permitted to solve their own problems. But Negro citizens have been denied the right to vote in many Southern States. This paragraph also comes from retaining their rights of the polls.

I am hopeful that, once the burden of the poll tax is removed, more and more citizens will exercise their prerogatives. First and foremost, it will do nothing toward holding public affairs in the hands of responsible people.

Poll tax legislation is a State matter and one in which the Federal Government should not interfere. It is a further step in the wrong direction.

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the electors for the election of U.S. Representatives in each State shall have the qualifications requisite for electors in the most numerous branch of the State legislature.

This principle was reaffirmed with the passage, in 1912, of the 17th Amendment to the Constitution, which provided for the direct election of Senators. Amendment to the Constitution, which the electors for the election of legislatures, as was formerly the principle, each of the State legislature."

There are some who would seek to gain political advantage by characterizing this amendment as civil rights legislation. But anyone who knows anything about the poll tax knows that civil rights plays no part whatsoever in the procedure. In the past, voters have had to be landowners, or taxpayers, or property holders. All States have set their own age requirements, ranging from 18 to 21 years of age. No one, to my knowledge, has ever tried to justify infringing upon this sovereign right of the States by compelling all to agree to new requirements. Such a suggestion would be viewed, even by today's proponents, as ludicrous.

The 16th amendment to the Constitution did affect the qualifications of voters by prohibiting discrimination against women. Here is an example of a great national issue which affected the rights of more than one-half of our country's total population. But where is the great issue in today's proposal?

The majority report also says that this "antiquated" tax serves no other purpose than to be an "obstacle to the proper exercise of a citizen's franchise." This has never been demonstrated to be true. Citizens have always been willing to pay a tax to take care of whatever need might exist. Everyone in the House knows exactly why this measure is before us. In my judgment it is a shabby attempt to avoid the real problems of civil rights which exist in our country today. We have some real problems of extending the right of franchise to all our citizens, and hopes to throw the aid of a constitutional amendment would adequately take care of whatever need might exist.

Mr. CURTIS of Missouri. Mr. Speaker, I shall vote against suspending the rules and passing this measure for a number of reasons, not the least of which is the highly questionable procedures followed in bringing this matter to the floor of the House.

I believe it is disgraceful that a constitutional amendment is needed only after a strong case has been made for both its need and the legal necessity for it.

No one can argue that the name has been made for either the need or the necessity. The need does not exist as pointed out by the U.S. Commission on Civil Rights quoted by both the majority and the minority of the committee ordinary legislation as opposed to a constitutional amendment would adequately take care of whatever need might exist. Everyone in the House knows exactly why this measure is before us. In my judgment it is a shabby attempt to avoid the real problems of civil rights which exist in our country today. We have some real problems of extending the right of franchise to all our citizens, and hopes to throw the aid of a constitutional amendment, the Civil Rights Commission does not have jurisdiction over this most neglected aspect of the right of franchise today.

Because of the action of the House leadership last year on the Cramer amendment, the Civil Rights Commission does not have jurisdiction over this most neglected aspect of the right of franchise today.

A second area in which basic civil rights are involved and are being neglected is in the various Federal housing programs. There are many other areas. The point is this: The House and this Congress are not facing up to real issues of civil rights, but by bringing up this measure do hope to throw powder in the eyes of those who look upon civil rights in an emotional way.

Emotionally the poll tax is detested, not because of its remaining use in five States but because of its past abuse. The promoters of this bill today hope to catch ahold of this remaining emotionalism to hide their inaction on important civil rights matters.

Perhaps also they hoped that there would be enough Congressmen like myself who would decline to go along with this subterfuge so that they could make political capital against us, or against our party.

Certainly it would be easy for me to vote for this measure. It means nothing, because I have nothing to lose. I have no explanation to make to my people. From past experience I can predict that my reasons will not get through to my people in time for the November elections because the reporting media will give me little or no assistance in broadcasting these views.

However, it is important that some people vote against this measure because of what it is and what it is not; that is someone other than southern Democrats who likewise make political hay, but out of the conviction that the time has come when the people must remember the poll tax of the past and think a vote to retain it will preserve their political control.

Yes, I have listened to my southern friends express continued concern with constitution and for States rights, and I agree with them on this matter in this instance because I have this concern. However, I cannot overlook the fact that it is primarily on civil rights issues, almost alone, that they express this concern. When the issue of constitutionality and States rights comes up on many of the measures which extend the
broad powers of the Federal Government into the States, local communities, the families and into private lives I find the solution of problems. There is therefore voting for these measures extending Federal powers.

Finally, I would say to the chairman of the committee handling this bill, the gentleman from South Carolina, if this bill could have had a rule if your committee sought it with vigor. Furthermore, this bill could have been brought to a vote in the Senate under the rules of the Senate. Congress may therefore abolish it by statute under the power granted to Congress by the 14th amendment which provides that no State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States. We also have ample proof that the average per capita income of nonwhites in the Nation is extremely low as compared with the average income of a white person. It is quite simple to deduce from this that the poll tax requirement serves as a discrimination against the nonwhite citizens of this country and is therefore a violation of their rights. Congress can therefore abolish this poll tax requirement by statute under the power it derives from the 15th amendment which provides that the right of United States citizens to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

For these reasons I believe that Congress has the constitutional authority to abolish the poll-tax requirement by statute. I also believe that the statutory scheme adopted by the bill would succeed in eliminating the payment of a poll tax in this coming election, whereas a constitutional amendment would have a long tedious road to travel before becoming effective.

However, we must be realistic. The House has five times passed a bill to abolish the poll-tax requirement—H.R. 539, 79th Congress, H.R. 1024, 79th Congress, H.R. 7, 78th Congress, H.R. 29, 80th Congress; and H.R. 3199, 81st Congress—but not one of these bills succeeded in passing the Senate. On the other hand, the House, in 1937, adopted Senator Joint Resolution 39 proposing to accomplish this by constitutional amendment, but this received no action in the House. It is quite clear that both Houses agree in principle to the abolishment of the poll-tax requirement but cannot agree upon the method to be pursued in effecting this abolishment.

In our disagreement as to the method, let us not lose sight of our goal, which is to abolish the poll-tax requirement. With this in mind I introduced House Joint Resolution 683 on May 13 of this year, which proposes a constitutional amendment similar to that proposed by Senate Joint Resolution 29. In principle, these bills support the use of Senate Joint Resolution 29. Let us vote on the merits of the issue and not upon the form in which it is offered. This amendment will prevent the imposition of the poll tax but of the other taxes as a prerequisite to voting and will apply not only to a State but to the United States as well, and it is broad enough to prevent the defeat of its objectives by some ruse or manipulation of terms.

The adoption of this amendment will secure throughout our Nation a more active participation in Federal elections by persons qualified under the laws of their respective States and will assure the future of the Federal Government dependent on their economic status. I wish to direct your attention to the statement made by Senator Holland in the Senate on May 18, 1960, when he said:

"Mr. Speaker, may this House by its resounding vote of approval let the American people know how it feels about this and rejected, federalism."
would have far-reaching effects, setting a dangerous precedent. It is a step toward complete Federal control of elections on the State and local levels. This is just one among the long line of incidents of the centralizing tendency of the Federal Government at the expense of the State and local governments and ultimately the citizen. This amendment would be another weight upon one side of the already unequal balance which controls the constitutional division of power. This easy amendment of our Constitution would lead to further encroachment of this one division, the Federal Government, upon the rights included in the realm of the States.

The amending process is not needed. It is a reflection on the States and the people at the local level have been doing a magnificent job in this field—they need to be complimented and encouraged. This amendment is not needed. It is a reflection on the fine job done by the people.

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COMMUNICATIONS SATELLITE ACT
OF 1962

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and agree to House Resolution 7898. The Clerk reads the resolution as follows:

Resolved, That immediately upon the adoption of this resolution the bill H.R. 11040, the Senate amendment thereto, be, and the same is hereby, taken from the Speaker's table, to the end that the Senate amendment be, and the same is hereby agreed to.

The SPEAKER. Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second.

Mr. RYAN of New York. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Illinois has demanded a second.

Mr. RYAN of New York. Mr. Speaker, is the gentleman from Illinois opposed to the bill?

The SPEAKER. Is the gentleman from Illinois [Mr. SPRINGER] opposed to the bill?

Mr. SPRINGER. Mr. Speaker, I am not opposed to the bill.

The SPEAKER. Is the gentleman from New York [Mr. RYAN] opposed to the bill?

Mr. RYAN of New York. Mr. Speaker, I am opposed to the bill and I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HARRIS. Mr. Speaker, I yield myself 8 minutes.

The bill now before us has been hammered out through extensive legislative and executive action. It bears the imprint of the President of the United States. It has been strongly endorsed by three members of the Cabinet—the Secretary of Defense, the Attorney General and the Secretary of the Treasury, as well as by the two agencies of the Federal Government most closely connected with space communications—NASA and the FCC. It has been disinterested and endorsed by four committees of the Congress. It passed this House on May 3 by a vote of 354 to 9, and on August 17 the Senate confirmed the judgment of this body by an almost equally overwhelming vote, 66 to 11. Few bills come before this body with such endorsements.

Mr. Speaker, on May 2 of this year I stood in the well of this House and urged the Members to approve the communications satellite bill which our Committee on Interstate and Foreign Commerce had reported had a good bill. It was carefully developed by the committee after full and complete hearings and several days of executive sessions. On the following day, 354 Members of this House voted in the affirmative and only 9 voted in the negative.

Today, almost 3 months later, I am standing before you again, and this time asking you to support the Senate amendment to the communications satellite bill, H.R. 11040, and thus send it to the President for his signature.

The CONGRESSIONAL RECORD - HOUSE

1962

The major reason why I am asking you today to agree to the Senate amendment to this bill is that we have been made very persuasive—our Nation needs this legislation now without any further delay.

When we came before you 3 months ago I said that I thought we were very fortunate that the House did not have to depend on the Government to do it all. I told you that this bill provides for a new type of organization which was specifically designed to meet specific needs. I told you that our committee felt—and the President so recommended—that a private, profitmaking corporation with Government cooperation and subject to Government regulation to the extent necessary was the most appropriate way in which this most important program could be undertaken expeditiously.

This House supported our committee’s judgment overwhelmingly and the other body did likewise. President Kennedy has advised me that the Senate amendment to H.R. 11040 is completely satisfactory to him.

Mr. Speaker, deeds, however, always speak louder than words. Since the House voted overwhelmingly to support this legislation, and since it provides for a private, profitmaking communications satellite corporation, another private, profitmaking communications corporation—the American Telephone & Telegraph Co.—with the cooperation of NASA, launched Telstar. Experimental Telstar is living proof that in this Nation we are fortunate in that important programs can be entrusted to private industry, and that we need not concentrate all of such programs in the hands of an all-powerful Federal Government.

This principle—that we can well afford to decentralize the planning and execution of a program of this nature which is important to this Nation's welfare and security—this principle, I say, is basic to Americanisms. As Mrs. Eisenhower has so ably pointed out, corporations are the workhorses of the new economy. They are free to depend on the Government to do it all. I am asking the Members of the House today, not to delay this legislation any further and to vote for the amendment to H.R. 11040.

Mr. Speaker, I ask unanimous consent that the following letter be included in the Record an analysis of the principal differences between H.R. 11040 as passed by the House and as passed by the Senate, and the House summary attached thereto for the information of the Members of the House and for the benefit of industry and all concerned throughout this Nation.

The approval of this Senate amendment to the request of the gentleman from Arkansas?

There was no objection.
CONGRESSIONAL RECORD — HOUSE

Presidential Responsibilities and Powers

Section 201(a)(1): As passed by the House, this paragraph provides that the President shall aid in the development of a national communications satellite program. As passed by the Senate, this paragraph provides that the President shall aid in the planning and development of such program. As passed by the Senate, this paragraph requires the President to take all necessary steps to assure the availability and utilization of the communications satellite system or station proposed except where a separate system is required to meet unique governmental needs. As passed by the Senate, this paragraph requires the President to take all necessary steps to assure such availability and utilization except where a separate system is required to meet unique governmental needs or is otherwise required in the national interest.

NASA’s Responsibilities and Powers

Section 201(b)(2): As passed by the House, this paragraph provides that NASA shall “coordinate its research and development program with the communications research and development program of the corporation.” As passed by the Senate, this paragraph provides that NASA shall cooperate with the corporation in research and development to the extent deemed appropriate by [the National Aeronautics and Space Administration] in the public interest.

FCC’s Responsibilities and Powers

Section 201(c)(1): As passed by the House, this paragraph provides that the FCC shall “insure effective competition in the procurement of the services of the communication apparatus, equipment, and services, and, to this end, prescribe appropriate rules and regulations.” As passed by the Senate, this paragraph provides that the FCC shall “(1) in its determination of competitive bidding where appropriate, in the procurement by the corporation and communications common carriers of apparatus, equipment, and services required for the establishment and operation of the communications satellite system and satellite terminal stations; and the Commission shall consult with the Small Business Administration and solicit its recommendations on competitive bidding and procedures.” As passed by the Senate, this paragraph states that small business concerns are given an equitable opportunity to share in the procurement programs for property and services, including but not limited to research, development, construction, and operation of satellites.

Section 201(c)(2): As passed by the House, this paragraph provides that the FCC shall “secure effective competition in the present and future authorized telecommunications business in all present and future areas subject to FCC regulation by means of the communication satellite systems.” As passed by the Senate, this paragraph relates to FCC proceedings for the purpose of requiring the establishment in the national interest of a satellite communications common carrier service, by means of the communication satellite systems.
tem to a particular foreign point. The Senate added the following words "by means of the satellites, without using the words "satellite stations." Section 301(c) (4): As passed by the House, the paragraph provides that the FCC shall ensure that facilities of the communications satellite system are technically compatible and that any multiple or interconnection offers to one or more authorized carriers or to the corporation and one or more such carriers jointly, as will best serve the public interest, convenience, and necessity." As passed by the House, this paragraph also provides that "in determining the public interest, convenience, and necessity the Commission shall encourage the construction and operation of such stations wherever, in the judgment of the Commission, such construction and operation are not inconsistent with the public interest, convenience, and necessity." As passed by the Senate, this provision would require the Commission in determining the public interest to "authorize the construction and operation of any additions by communications common carriers or the corporation without preference to either." Section 301(c) (6): This is a new paragraph added by the Senate. This paragraph requires Commission authorization for the corporation to issue any shares of capital stock (except the initial issue of voting stock) on which the corporation has any obligation in respect of the securities of any other person. Such authorization is to be given upon a finding that such authorization is necessary to the public interest and is necessary or appropriate for, or consistent with, carrying out the purposes and objectives of the act by the corporation.

Section 301(c) (9): This is a new paragraph added by the Senate. This paragraph gives the Commission responsibility for insuring that no substantial additions are made to the system or to satellite terminal stations unless such additions are found by the Commission to be required by the public interest.

Section 301(c) (10): This is a new paragraph added by the Senate. This paragraph empowers the Commission in accordance with the provisions and requirements of section 214 of the Communications Act of 1934, to require that additions be made by the corporation or by carriers with respect to facilities of the system or satellite terminal stations where it finds that such additions would serve the public interest.

Section 301(c) (11): This is a new paragraph added by the Senate. This paragraph gives the Commission authority to make rules and regulations to carry out this act.

SATELLITE CORPORATION-ORGANIZATION

Section 302: The House passed bill provides that the President shall designate in one or more communications common carriers to serve as the board of directors of the corporation. As passed by the Senate this provision provides that the President shall appoint incorporators, by and with the advice and consent of the Senate, and that the board shall consist of three members, of which one shall be nominated by the corporation. As passed by the Senate this subsection reads as follows: "Upon application to the Commission by any communications common carrier and upon a finding that the public interest and the purposes of this Act will be served thereby, the Commission may compel any authorized carrier which owns shares of stock in the corporation to sell to the applicant a number of shares determined by the Commission to be the fair and reasonable share of the stock of such corporation." As passed by the Senate this subsection has been modified to provide for the transfer of application to the Commission by any authorized carrier and after notice and hearing, provides that the President shall appoint one or more authorized carriers to serve as the board of directors of the corporation.

SATELLITE CORPORATION-DIRECTORS AND OFFICERS

Section 303(a): As passed by the House this section provides that three members of the board shall be appointed by the President by and with the advice and consent of the Senate for a term of 3 years. As passed by the Senate this section proposes that the Public Utilities Commission shall appoint members of the board and is found by the Commission to be required by the public interest, convenience, and necessity.

Section 303(b): As passed by the Senate this section provides that the Secretary of the Interior shall appoint one member of the board, and that the President shall appoint three members of the board, of which one shall be a member of a class of carriers whose possessions are technically compatible and interconnected with the system, as will best serve the public interest, convenience, and necessity. As passed by the Senate this paragraph also provides that "in determining the public interest, convenience, and necessity the Commission shall encourage the construction and operation of any additions by communications common carriers or the corporation without preference to either."
with a view to recommending such additional legislation which the Commission may consider necessary in addition to (i) an examination and discussion of the most efficient and economical operation of the corporation.

Mr. RYAN of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Arkansas [Mr. PoAGE].

Mr. RYAN. Mr. Speaker, to admit error is neither easy nor pleasant. I voted for H.R. 11040 when it passed the House, but I would like to point out that we are not today debating H.R. 11040. We are in essence debating the Senate bill.

I sat here, as many of you did, through the previous debate on an amendment to the Constitution. We heard a great deal about the necessity for bringing up bills under suspension.

Mr. Speaker, here, in connection with one of the most important measures of this kind that will affect our country we are again limited to 40 minutes, and we are prohibited from offering any kind of amendments. On top of that, the normal procedure in a bill of this kind is to go to conference where at least the differences between the two Houses can be brought to the attention of the Senate, and the Senate, if it deems fit, may debate it by either House. Here, on one of the most important matters of this or any session, we bypass this procedure.

Why? Because we wish to keep it from home and we are afraid there may be a filibuster in the other body.

So we hurry to do this thing. If this were a question of something going through the country into an economic depression or whether some horrible thing would happen if we did not get it out of this Congress, perhaps that would be justified.

I would like in connection to the fact that this distinguished gentleman from NASA, Dr. Hugh L. Dryden, has testified it will be 3 to 5 years before most of the provisions of this bill can go into practice. Would not a responsible body wish to do we suddenly get this tremendous urgency that we must do this under an extraordinary procedure? I do not understand it, Mr. Speaker.

Therefore, I would like to point out a few of the differences between the two Houses. For instance, in the bill of the other body, they have eliminated the provision prorating the number of directors that may be elected by communication common carriers depending upon the percentage of voting stock of the corporation owned by the communication common carrier. What this means is that the common carrier may elect six directors, regardless of the percentage of voting stock owned by them. I am sure that the honest and disinterested gentleman from Arkansas, chairman of the committee, thought highly of that provision when he put it in the House bill and planned to do just that, now, it having been eliminated by the other body. Why? This is one of the most important fundamental things which has to do with protecting the interests of the people of the United States. Yet in the House we are asked to give that up and pass it by.

For instance, one of our provisions in our bill which passed the House of Representatives originally provided for reimbursement for personal injuries sustained by employees as a result of the policies of the bill for all costs incurred by the State Department in assisting the corporation in international negotiations. But the other body took it out. All of a sudden, the State Department is to go and do its best and pay for the work that it does for this private corporation. I do not understand that. I do not believe that those of you who are so interested in fiscal responsibility can understand it. It should be a matter which should have come before a conference committee.

Mr. Speaker, the debate in the other body and the detailed criticisms of the bill by such people and organizations as former President Harry Truman, many individual unions, and the APL-CIO, of course, the chamber of commerce, and others, all these have brought to light much of what was not available to the Members of this House at the time we passed the bill 3 months ago.

Therefore, I would like to point out a few of the differences between the two Houses. While it is hard to admit it, I must admit that I believe I was in error in originally voting for this bill. But I would not compound it now by voting for a procedure which violates every proper ethic, violates the tradition of going to conference, and sets up something, such as this, because somewhere there is a hidden presupposition that we get this thing done at this time.

Further, Mr. Speaker, there are some matters of fundamental importance to consider. In the first place, no global satellite system will be possible without the provisions of this bill. The House has an invitation to attend the meeting of the American Group of Inter-Parliamentary Union to be held tomorrow morning, Tuesday, August 22, at 8:30 a.m. in room G-221 of the New Senate Office Building.

Mr. Speaker, I want all Members of the House to know that they are welcome to attend. They will have to buy their own breakfast as will everyone else, but we hope that many of those who have criticized the Inter-Parliamentary Union will be present and participate. Therefore, I extend the invitation to everyone.

Now, Mr. Speaker, as to this bill, I happen to be one of the nine who origi...
Frankly, I doubt that you can long retain monopolistic control of so vital a new industry, and I fear that the arrangement to bring all satellite communications under the control of a Bell Co. dominated corporation contains the seeds of its own destruction.

The SPEAKER. The time of the gentleman from Texas [Mr. Fosses] has expired.

Mr. RYAN of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon [Mr. Ullman].

Mr. ROSENTHAL. Mr. Speaker, the issue and discussion today seems to have centered on the question whether or not there should be private or Government ownership of communications satellites. I merely take this time to bring to the attention of my colleagues the result of a poll that appeared in the Washington Star of August 19, 1962. I do not think we should regard the result of this poll so freely and willingly as we seem to be doing this afternoon. I read just a short paragraph from that article:

A committee has been asked, "Do you think the future network of American communications satellites—like Telstar—should be owned and developed by the Government?"

The replies, in percentages, were:

<table>
<thead>
<tr>
<th>Government</th>
<th>Private Industry</th>
<th>Uncertain as yet</th>
<th>No opinion</th>
</tr>
</thead>
<tbody>
<tr>
<td>35</td>
<td>39</td>
<td>4.8</td>
<td>11.0</td>
</tr>
</tbody>
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Mr. SPRINGER. Mr. Speaker, let me review, if I can, just what has happened on this bill thus far. In a little over 4 hours some 2 months ago we passed this bill, substantially the same bill we have before us today, by a vote of 364 to 9. It went over to the other body and a filibuster ensued. Seven or eight Members of that body, which lasted some 3 weeks. But they finally passed the bill overwhelmingly, and it comes back to us today. Now we are taking up the amendments which the Senate added to its own bill, which is slightly different from the House version. That is where we are today.

When this bill was before the House there were some on the floor who shouted, "Giveaway, giveaway." When it went over to the other body there were some over there who shouted from morning until giveaway.

The history of this bill is this. This bill was sent down by the President of the United States. He is my President, as is your President. Indeed, it seems more likely that we are faced with a 16th century monopoly for a favored few if we pass this bill, as against a reality competitive arrangement, where any private corporation can get in the business by paying the fees and complying with the rules. I believe that the latter situation is the more likely to perpetuate private industry.
Furthermore, we would be following the precedents of the past. For example, during World War II, atomic energy and jet propulsion systems were developed by the Government at tremendous expense. Yet, at the end of the war the benefits were made available to competing firms in a way which would encourage the development of the competitive system. The opponents of the bill now before us want to follow this precedent. Competing firms are saying that communications satellites would further the system of free enterprise capitalism much more than a system of Government-instituted monopoly.

Mr. Speaker, the U.S. taxpayer is not protected under this legislation. First he will have donated the hundreds of millions of dollars which went into the research and development of this system without compensation. Under the provisions of H.R. 11040—as amended by the Senate—the corporation is not required to reimburse the Government for any of its investment in developing the communications satellites. Mr. Speaker, it took millions to develop the rockets which launch the satellites into orbit.

Secondly, the U.S. Government will be the corporation's largest customer, but in typical Government fashion, the corporation will receive preferential rates. Certainly the U.S. taxpayer deserves this when you consider the huge subsidy the corporation would receive. Mr. Murrow, the chairman of the Senate Interstate and Foreign Commerce Committee, testified that he feared his Agency could not afford to use the private system if USIA was charged the regular commercial rates. The U.S. Government will be its largest user and will be at the mercy of the corporation on rates.

The magnitude of this bill's impact on foreign and domestic communications will be in close and fruitful cooperation with the various Federal agencies involved. Telstar was launched and the first live regular commercial rates. The bill before us proposes the most gigantic giveaway in the history of this country. The taxpayers have financed our space program. The taxpayers have financed 90 percent, according to Dr. Welsh, of the space communications program. The benefit conceivable Telstar and which will make possible other significant advances in space communications. It seems to me, this investment should be reserved to all the people.

In addition, the issue here is not free enterprise. There can be no free enterprise in a noncompetitive monopoly situation.

The U.S. position of preeminence in space satellite communications must be maintained. We must have the best possible satellite communications system at the earliest possible date.

H.R. 11040 would create a private corporation to own and operate the U.S. portion of a worldwide communications system using space satellites. If enacted into law, this bill will hand over to a private monopoly the fruits of vast amounts of taxpayer-financed research. It will endanger United States progress toward the development of a truly global satellite communications system. It will seriously impede the conduct of our foreign policy insofar as space communications are concerned. The principle matters of national importance embodied in this bill violate the principles of free competitive enterprise which have been the foundation of our Nation's economic and political strength.

In short, it is a premature and overhasty step in the wrong direction. THE GIGANTIC GIVEAWAY

As Harry Truman said on August 10, H.R. 11040 proposes the most gigantic giveaway in the history of this country. It would turn over a governmentally created private monopoly the benefits of hundreds of millions of dollars of taxpayers' money which have been invested in the development of space and satellite communications technology. Even after the corporation is set up, the taxpayers will continue to subsidize it, and will get nothing in return. For example: The Government will have to pay the same rates as any commercial user, under the terms of the bill, even though Government expenditures made the satellite system possible and the Government will be its largest user. Moreover, the bill appears to require the Government to use only this system. (Section 201 (a) (6)).

Second, NASA is required under the bill to help the private corporation, but the private corporation is not required to help NASA.

Third, The State Department under the bill is required to help the private corporation, but the private corporation is not required to help the State Department.

When the benefits of Government-financed research and development have been turned over to private enterprise in such areas as the research on atomic energy, jet aircraft, and on agriculture, the taxpayers have concluded that others have considered this proposal not in the national interest. If this bill is enacted, it means handing over to a private monopoly the fruits of a vast investment by taxpayers to a single private monopoly which would
be the sole beneficiary of this huge taxpayer investment. Indeed, only this corporation is statutorily entitled as a matter of right to use NASA's facilities set out in section 201(b) of the bill.

FOREIGN POLICY

The satellite system will be inextricably involved in numerous complex international negotiations and relationships. As pointed out by numerous students of international affairs like Ambassador Ernest A. Gross and Benjamin Cohen, the bill would turn over the conduct of our foreign policy in this matter to a private company. The President and State Department originally insisted on the need to retain all international negotiations in the hands of the President and the State Department. The carriers reacted with vigorous protest. To appease them an artificial and impossible distinction between "business" and "government" was injected into the bill and the State Department relegated to the role of mere assistant to the corporation where so-called business negotiations are concerned. The bill does not even provide that the President or the State Department the power to define what is "business" or "governmental."

Such a statutory abdication of governmental responsibility is unprecedented. It is most unwise in an area where our foreign policy interests are so vitally concerned.

ANTITRUST EXEMPTION

The private monopoly which this bill would create would be unique in our history. This bill proposes to allow existing and future communications common carriers to join together and participate in the ownership of a private corporation. This is the only allowable in the antitrust laws.

This exemption is one of the primary purposes of this bill, and the need for such an exemption shows how inconsistent with our free enterprise traditions this corporation will be.

SEPARATION OF COMPETING FORMS

This bill also constitutes a departure from our wise and time-tested policy of not allowing common carriers in the fields of transportation or communications to own or control competing carriers. For example, railroads may not control airlines or the trucking lines. Airlines may not control the railroads. This bill, however, has not been limited to own or control the railroads, nor have the railroads or airlines been allowed to control barge lines. We have also found it desirable to keep separate the ownership and control of telephone and telegraph communications.

This philosophy of separate ownership of competing forms of transportation and communications is founded on the belief that the economy and the public will benefit from a maximum degree of competition at all levels. We exist with this competition to provide rapid development and early introduction of the newest developments in all fields.

FURTHER POLICY OF INTEREST

The bill before us represents a complete reversal of this use policy, for it would turn over our satellite communications system to the very companies which now operate our existing common carriers in these fields. The new facilities will be competitive with the older communications facilities. In many instances a satellite communications system will make existing facilities obsolete. We cannot afford to turn over control of this wonderful new development to companies with huge investments in such existing facilities since the spurt of competition will be absent. Such companies will be inclined to lag in the speedy development of the new and revolutionary technology until they have recouped their initial profits from the existing facilities.

The problem goes deeper because virtually all of the communications carriers of any size have their own manufacturing subsidiaries or divisions. There would be a natural tendency for the carriers to use their representation in the satellite corporation to influence its procurement policy. They would, of course, favor their own and thereby restrict competition in the supplying of goods and services for the satellite system. Small companies, who cannot get much of a voice in management, will be frozen out.

NO REQUIREMENT TO GOVERNMENT

The private monopoly created by this bill will receive free of charge the benefits of millions of taxpayer dollars and the spurt of competition will be absent. Such companies will be inclined to lag in the speedy development of the new and revolutionary technology until they have recouped their initial profits from the existing facilities.

The only requirement is that the corporation repay NASA for the out-of-pocket costs of launching the corporation's satellites and buildings in orbit, a sum in comparison with the true costs to the taxpayer.

NEED FOR PREFERENTIAL RATES

This bill does not even provide that the Government and its agencies are to receive preferential rates for the use of the satellite system. There is adequate precedent in the field of communications for granting the Government preferential rates. Certainly the Government and the taxpayers are entitled to some preference consideration. The administration has stated that the American taxpayers who have made the system possible should have an opportunity to buy stock in the proposed private corporation. Compare this statement with the language of the bill. The bill provides only that the shares of voting stock initially offered shall be sold at no more than $100 and in such a way as to encourage the widest distribution to the American public. Neither of these requirements is imposed on subsequent offerings of voting stock or non-voting stock or any other form of securities.

It would be perfectly lawful under this bill to have a small initial offer of voting stock in which the public could share, then use subsequent offerings for all major financing. The subsequent offerings could go directly to large corporations, banks, insurance companies, and the like, and the general public could be excluded completely.

PUBLIC POLICY

The fact is that the corporation will probably be financed to a significant extent through the use of securities other than voting stock.
In the first place, the carriers do not have to buy any minimum amount of voting stock in order to have their rights to elect directors. There are inherent, nonvoting securities, bonds, debentures, and so forth, which a communications carrier may buy are eligible for inclusion in the carrier's rate base.

While a double return

By purchasing securities other than voting stock, the carriers lose nothing in regard to their rights to elect directors and at the same time can earn a double return on their investment. On the other hand, any nonvoting securities, bonds or debentures would naturally pay either interest or dividends to the holder. On the other hand, through their eligibility for inclusion in the carrier's rate base, the carrier could exact a reasonable profit on these securities and bonds raising the rates to the carrier's own customers.

I have not yet had it explained to me why the communications carriers should be entitled to earn a double return at the expense of the taxpayers and the consuming public. If there is any question as to why a carrier should be allowed to include any of the satellite corporation's securities in its own rate base at all, A.T. & T. wants to buy stock in General Motors stock does not become a part of its rate base. Why should stockownership in a private corporation entitle A.T. & T. or the other communications carriers to any special privileges which are not available to any other purchasers of the satellite securities?

THE TYPE OF SYSTEM

Experiments are currently underway with low-orbit and high-orbit—synchronous—satellites. An operational system using either type is still at least a few years away. It is generally agreed, however, that the high-orbit system is ultimately the most desirable and most economical. A.T. & T. has been promoting the low system. In this case the corporation is establishing its own system, and we shall be wedded to an investment of hundreds of millions of dollars in a system which is second best. We must retain maximum flexibility so that we can determine which system to use now, and be in a position to switch to the high system as soon as possible.

NO SPACE LAW

There is now no general body of international law governing outer space. This fact alone creates many serious problems which the legislation before us necessarily leaves unanswered, for only international agreements and practices can resolve them. There are inherent problems in any attempt by one nation unilaterally to appropriate for its own use or for commercial purposes any new development of this sort. We do not even know yet what position the United States might take if other nations were to protest our use of outer space for commercial purposes through a privately owned satellite.

It seems to me wise to keep these satellites as American-flag satellites while the international questions are being resolved.

PARTICIPATION OF PRIVATE ENTERPRISE

Those of us who are opposing this bill believe that the ownership of the satellite system should remain in Government hands for the benefit of all the people. We understand fully the importance of cooperation between Government and industry in the important area. The record shows, however, that we have repeatedly emphasized that the facilities of the satellite communications system must be operated by private enterprise under contract or lease arrangements with the Government.

It seems to me that the gentleman from Texas (Mr. Poage), when he spoke a few minutes ago, pointed out the real question here. The question is whether we are going to hand this system over to a private monopoly which will be dominated by the big communications carriers or whether we will set up and establish a method whereby the communications space satellite system launched by the Government can be made available on a competitive basis to all, so that any carrier may come in and bid for the use of this communications system. It has never been my position, and I do not believe it has been the position of Members of the other body, that the Government actually should be in the business of communications.

QUESTIONS OF GOVERNMENT EFFICIENCY

Statements have been made on the floor and elsewhere concerning the comparative efficiency of Government and private enterprise. Efficient, capable operation is not, however, a characteristic reserved for private corporations and unattainable by the Government. Private enterprise, like the Government, has a record containing both successes and failures, but the strength and freedom of our country attests to the fact that both business and Government are capable of doing fine jobs.

For those who find it a popular pastime and a good argument to operate, I would like to point out that it was not the Federal Government which built the Edsel—it was the Ford Motor Co. It was not the Government which built the 800-999 jet aircraft; it was the General Dynamics Corp. On the other hand, TVA, Bonneville, the Panama Canal—all these are efficient governmental operations. These examples show that trial and error, efficiency and inefficiency are not peculiar to either Government or private industry.

CONCLUSION

Mr. Speaker, I think the gentleman from Texas (Mr. Poage) did a splendid job of having the issue very clearly in his statement. The issue is whether we reserve for the benefit of the millions of taxpayers of the United States the resources which we have developed, or whether we turn them over to a private corporation which will be dominated by A.T. & T. and by other carriers, which will will be able to operate this system into their rate base and get a double return.

I submit we should not pass this bill. I urge defeat of the bill. I believe it is in the national interest not to pass this bill now. There are many unknown factors. There is no need to rush into this kind of proposal. Our space program will go forward, and it will benefit the Nation not to take haste action now.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Raccoon at this point giving a complete explanation setting forth how I feel and the arguments which have been advanced by those engaged in giveaway and the great claims about this program.

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

There was no objection.

Mr. HARRIS. Mr. Speaker, when we were preoccupied by this bill last May, it was opposed by a few of our colleagues on the ground that it was a giveaway in the sense that the proposed corporation would be able to take advantage of research and development in space communications which has been conducted at Government expense. Various figures were used to support this contention. In fact, we were confronted literally by a number of same.

The assertions, it seemed to me, were self-defeating for if the Government had invested hundreds of millions or billions of dollars to develop a communications capability, as was the case, how were the evidence? The Government had then and has now no active communications satellite or ground station in operation. The simple fact is that the communications satellites and ground stations in operation today were conceived, designed, and constructed by private industry.

Deputy Attorney General Karl B. Kambenbauer, on a basis of estimates prepared for him by NASA, has stated on several occasions that a proper allocation of Government expenditures in space communications should be in the neighborhood of $10 million through the 1963 fiscal year. It is a far cry from the hundreds of millions or billions claimed by the few opponents of this bill. It is also true that between $300 million and $500 million was expended by the military on Project Advent but unfortunately this program has recently undergone a redirection or a reorientation while the efforts of private enterprise with Telstar have met with unqualified success. Our experience with Advent scarcely affords the Government any vested right to own and operate the proposed satellite system.

The fact that the Government has sponsored research and development in satellite communications hardly constitutes a giveaway. This argument could be extended to hemispheres of our economy. Our commercial jet aircraft are based on designs made possible by Government-financed military aviation and the fruits of this research have been made available to our aircraft manufacturers. The same is true although perhaps to lesser degree with respect to drugs, hospital equipment, and technical and medical treatment which were the outgrowth of knowledge financed by the Government. The Government has
also paid for the bulk of the organized agricultural research in this country for more than a century, yet few seriously argue that the Government should own and operate all the farms. Throughout the entire breadth of our economy one finds that the fruits of Government research and development are eagerly looked upon by private industry when they are commercially feasible and serve to promote our national objectives.

The Government's research and development in the space effort is going on in all sorts of fields, in rocketry, metallurgy, communications, biology, systems controls, and so forth. Now, I would suppose that the benefits of research in these fields will be spilling over into our society in all sorts of ways, increasing our productivity, yielding taxes, going a long way to recover in the general health of our society the costs incurred by the Government which went into this effort. But it is by no means a one-way street.

The reverse is also true. There has been a continued input from the private fields, especially since Mr. Jansky's assignment was from Government research into the private field. This is one of the great partnerships which has helped this country develop.

Space communications is an excellent illustration of the beneficial effect of the continuing partnership between Government and industry. The case of Karl Jansky is a memorable one. Working for one of our private communications companies, Mr. Jansky's assignment was to discover what was making the noise that was disrupting transatlantic telephone service. In his research Mr. Jansky detected a steady hissing whenever his antenna was pointed at one particular section of the sky. He soon discovered that the noise was coming from outer space and with this discovery opened the door to radio astronomy, without which our knowledge of the universe would be limited and our space programs would be impossible.

The invention of the transistor is also a case in point. It was the product of a fundamental research and development program conducted by one of our private communications companies. The record indicates that this one company alone has spent $1 billion since World War II on research to improve communications service but which is closely pertinent to today's satellite communications development. The discovery of the transistor which led to the Nobel Prize in physics, has made possible the mobile radio, which is providing for large numbers of Americans. I do not know how much such a development is actually worth in monetary terms, and it certainly is very great, but it is clear that without our space effort would be years behind.

It should also be pointed out that Telstar, our first successful active communications satellite, was developed by private companies at a cost of around $50 million, including the cost paid to the Government for the launching expenses. It is also worth noting that all developments and know-how acquired in communications with Telstar are being made available free to NASA. Telstar is an excellent illustration of the benefits that have flowed from the continuing partnership between Government and private industry.

The legislative attempts to do is to adapt the resources of the country to this particular project and to bring in the capital through other means that taxation. This no minor matter when our communications satellite will cost somewhere at a $6 billion deficit. Under this bill further research and development will be largely financed by private capital rather than by the taxpayers, and the cost of developing and maintaining a communications satellite system—including all launching and rocket costs—will be borne by private industry and not by the taxpayers. In all probability this will involve further investment of several hundreds of millions of dollars in what is unavoidably a risk investment. In our form of government we have generally sought to attract private capital into such risk situations rather than expend the involuntary contributions of the taxpayers where, as here, a workable alternative is available. Should this venture prove successful, the Government will have its contribution to the success of this enterprise returned not only through the payment of corporate taxes but in increased exports.

Finally, it has been said that the corporation will be able to make large windfall profits in this field. This legislation precludes any such possibility. The facts are that under this bill the corporation is going to pay for everything it gets and that it will earn only a regulated return on what it invests.

In conclusion I want to direct our attention to one further matter: Several of our colleagues opposed this bill last May on the ground that the proposed satellite corporation could be dominated by a few large stockholders. This contention was advanced again before the other body and it seems to me was laid to rest by Attorney General Robert Kennedy in his testimony before the Senate Foreign Relations Committee when he concluded: I think anybody who makes an objective study of this bill, this legislation, could not possibly reach that conclusion.

This bill represents a very useful marriage of private industry and Government. The policy considerations have been carefully considered and fully debated.

There is no reason to suppose—

As Secretary Rusk has stated—that they would be more wisely decided if this process were to be extended another year.

On the other hand there is every reason to suppose that the impetus from the passage of this legislation and the organization of the satellite corporation will bring us measurably closer to the time when a global communications satellite system is in operation. The time to act cannot be delayed any longer.

Mr. Speaker, I ask unanimous consent to make this record.

Mr. Speaker, the changes made by the Senate do not substantially affect the objectives of the communications satellite bill originally passed by the House. This fact, I think, is of the utmost importance.

The bill provides for a privately owned, profitmaking corporation subject to Government supervision to operate the communications satellite system. I support this principle and believe that it will enable us to improve the prestige of the United States in the eyes of the free countries of the world. I supported private ownership when we were originally considering this bill in the Interstate and Foreign Commerce Committee and I continue to support this approach.

Mr. Speaker, I hope that we settle this problem once and for all because I feel very strongly that we should proceed with our communications satellite program.

Mr. GONZALEZ. Mr. Speaker, I am immensely disturbed by the unseemly haste this Congress has shown in the matter of determining important future public policies for a system of communications satellites.

There was scant discussion on this when the matter was previously before the House. And in the Senate many questions were raised which received no response, not even in the form of answers from the proponents of this measure. I wonder about this haste. And I wonder about this absence of answers. Either there is much that is not yet known about the consequences of the policies proposed in this bill or there is much that is not being told.

One thing that is known and can be told is that this proposition on its very face is a perfect illustration of an old Texas story about two neighbors who joined together to share ownership of a cow. To insure a true joint ownership it was decided that whoever betrayed the cow would be tethered across their property line with the understanding that each neighbor would administer to his half of the cow. This arrangement seemed fair enough to the two neighbors. They met each time the dim-witted one of the neighbors realized that from this bargain he ended up feeding the cow at one end while his sharp-trading friend acquired the right to milk the cow at the other end.

Mr. Speaker, this is what I see in this communication satellite bill. The sovereign Government of the United States asks the American citizen to become a member of this duet that is getting prepared to feed a cow from which it will not even have the right to receive milk.

I think this was made clearer than in the testimony of Mr. Edward R. Murrow, Director of the U.S. Information Agency, before the Senate Committee on Foreign Relations of the U.S. Senate. Mr. Murrow said that he had been told by a member of the Senate committee saying that his important Agency would not be able to afford to use the satellite system. He estimated it would take $50 million a year to simply use the satellites for an hour and a half program a day beamed into the undeveloped areas of the world.
Then we were treated to the unhappy scene of the head of this Government Agency musing about whether it might be possible for us to impose on the Government to enjoy something less than the going commercial rates. Mr. Murrow said:

National investment in the system has been considerable. If the system is to be made economically sound, the Federal Government must do its part in insuring success. The Federal Government must not be content to let the system flounder because it is more expedient to do so for this corporation. The Federal Government must not be content to let the system be used by private enterprise.

As Mr. Murrow said:

The President must aid in development and foster the execution of this commercial system; he must coordinate all activities of Government agencies in this field; he must exercise supervision of relationships of the corporation with the Government; he must assure the corporation of foreign participation; he must take all necessary steps to insure availability of the system; he must exercise authority to protect the electromagnetic spectrum.

But the Senate has now acted on the bill and did not address itself to Mr. Murrow's point. By failing to do so, and by the House proponents bringing the Senate into this field of activity, the Senate is now confirmed who is to feed the cow. If further confirmation is needed, consider the fact that the Senate even dispensed with the House proviso in section 408 to eliminate the control of the Secretary of State who, as we speak abroad for all the Nation and for all this Government—is an appropriate partial to such a position.

I may phrase this as a reservation of a public domain for public use, an extension of the public service concept into the public domain.

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It is the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all mankind.

We are beginning now to see the results and the wisdom of that action. Our problems have been and will be the same as our opportunities. This bill continues the practice.

I demand the yeas and nays.

Four of our astronauts have been to other planets; we have the opportunity to open a whole new area of applied space science. We have the opportunity to enhance American prestige. We have the opportunity to open greater world harmony through understanding. We have the opportunity and, with it, we have the responsibility. We must meet the challenge of the new era.

It is the policy of the United States to conduct its space research programs in cooperation with the United Nations. We have the opportunity to improve and protect our natural commodities, to maintain reason and serve the American people. By the Senate's amendment, and agree to the conference report, to improve and protect the resources of the United States.

Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12391) to improve and protect farm income, to reduce costs of farm programs to the Federal Government, to reduce the Federal Government's excessive stocks of agricultural commodities, to maintain responsible and stable prices of agricultural commodities, to provide adequate supplies of agricultural commodities for domestic and foreign needs, to conserve natural resources, and for other purposes, with a Senate amendment thereto, to agree to the Senate amendment, and agree to the conference report requested by the Senate. The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was passed.

The Clerk announced the following passage of the bill:

Mr. Powell with Mr. Adams. Mr. Frasier with Mr. Kilburn.

Mr. James C. Davis with Mr. Craner.

Mr. Mondson with Mr. Arends.

Mr. Kitchin with Mr. Collar.

Mr. O'Brien of Illinois with Mr. Ellsworth.

Mr. Hoher with Mr. Wilson of California. Mr. Kyne with Mr. Hall.

Mr. Hébert with Mr. Anderson of Minnesota.

Mr. Saund with Mr. Cunningham.

Mr. Morris of New Mexico with Mr. Wilson of Indiana.

Mr. Boling of Missouri with Mr. Findley.

Mr. Sisk with Mr. Ut.

Mr. Peterson with Mr. Doddy.

Mr. Baring with Mr. Sely-Brown.

Mr. Thompson of Louisiana with Mr. Morrow.

Mr. McMillan with Mr. Bass of New Hampshire.

Mr. Blatnik with Mr. Curts of Massachusetts.

Mr. Cannon with Mr. Mason.

Mr. McDaniel with Mr. Bowers.

Mr. Donohue with Mr. Dominick.

Mrs. Granahan with Mr. Garland.

Mr. McGovern with Mr. Hoffman of Michigan.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FOOD AND AGRICULTURE ACT OF 1962

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12391) to improve and protect farm income, to reduce costs of farm programs to the Federal Government, to reduce the Federal Government's excessive stocks of agricultural commodities, to maintain responsible and stable prices of agricultural commodities, to provide adequate supplies of agricultural commodities for domestic and foreign needs, to conserve natural resources, and for other purposes, with a Senate amendment thereto, to agree to the Senate amendment, and agree to the conference report requested by the Senate. The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. AVERY. Mr. Speaker, I object.
Sec. 2. The Congress finds that there is a large and growing need for suitable housing for older people both in urban and rural areas. It is necessary for them to maintain their health and physical well-being by obtaining liberal long-term home mortgage credit, and their need for housing planned and designed to include features necessary to the safety and comfort of the residents. The most promising solutions to this problem appears in meeting their housing needs because of the prevalence of modest and limited incomes of many elderly persons, in obtaining liberal long-term home mortgage credit, and their need for housing planned and designed to include features necessary to the safety and comfort of the residents in a suitable neighborhood environment.

The Congress further finds that the present programs of the Department of Housing and Home Finance Agency have proven the value of Federal credit assistance in this field and at the same time demonstrated the urgent need for an expanded and more comprehensive effort to meet our responsibilities to our senior citizens.

Sec. 3. (a) Section 205(a) (4) of the Housing Act of 1960 is amended by striking out "$125,000,000," and inserting in lieu thereof "$500,000,000."

(b) Effective with respect to applications for loans under section 502 of the Housing Act of 1960, as amended, after the date of the enactment of this Act—

(1) section 202(d) (1) of such Act is amended by inserting "and designing", and "(B)" and all that follows and inserting in lieu thereof a period;

(2) section 214 of such Act is amended by striking out all that follows "new structures" and inserting in lieu thereof "new structures and dwelling units);

(3) section 202(d) (8) of such Act is amended by striking out "(A)" and "(B)" and all that follows and inserting in lieu thereof a period.

Sec. 4. (a) Section 501 of the Housing Act of 1949 is amended—

(1) striking out the period at the end of subsection (a) and inserting in lieu thereof of the following: "and (3) to elderly persons who are or will be the owners of land in rural areas for the construction, improvement, alteration, or repair of dwellings and related facilities, the purchase of previously occupied dwellings and related facilities and the purchase of land constituting a minimum adequate site, in order to provide them with adequate dwellings and related facilities for their own use."

(b) by inserting at the end of subsection (b) the following new paragraph:

"(3) For the purposes of this title, the term 'elderly persons' means persons who are 62 years of age or over."

(c) by inserting immediately before the semicolon at the end of clause (1) of subsection (c) the following: "or that he is an elderly person with the physical health and ability to provide for his own adequate dwelling or related facilities for his own use."

(2) Section 502(a) of such Act is amended by adding at the end thereof the following new sentence: "In cases of applicants who are elderly persons, the Secretary may accept term "elderly persons" means families the head of which (or his spouse) is 62 years of age or over and the term 'elderly families' means families the head of which (or his spouse) is 62 years of age or over; and

(4) the term 'development cost' means the costs of constructing, purchasing, improving, alter ing, or repairing new or existing housing suitable for elderly persons and families; and

(5) Amounts made available pursuant to section 513 of this Act shall be available for operating administrative expenses incurred under this section."

The SPEAKER. Is a second demanded?

Mr. MCDONOUGH. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection. Mr. RAINS. Mr. Speaker, I yield myself the floor.

Mr. Speaker, the Senior Citizens Housing Act of 1962—H.R. 12623—is designed to help meet one of the most urgent needs in the field of housing, that of providing suitable homes for our senior citizens. Housing costs and the widespread support which it has received this year is clear evidence of the growing recognition of the housing needs of the elderly. It shows that we are on the right track in our efforts to provide this housing and in the years to come I am confident that we will witness substantial further progress in this field.

There are several factors underlying this need for special provisions for housing for our senior citizens and increased efforts to make assistance available. First, the number of older people in our population is increasing far faster than the population as a whole. In the past decade the total number of people in this country rose 19 percent while the number aged 65 and over jumped 35 percent. For many families the problem of age is complicated because today 1 out of 3 persons reaching the age of 65 has one or more close relatives over 80 to be concerned about. Looking to the future, the number of our older citizens will continue to rise more rapidly than the population as a whole and we must not delay in providing the programs and assistance they need and deserve.

Health problems and living patterns are the second reason for providing programs especially tailored to the needs of the aged. The miracles of modern medicine have extended life expectancy but we must recognize the fact that age imposes certain physical limitations even for the physically well and we must not delay in providing the programs and assistance they need and deserve.

The SPEAKER. Is a second demanded?
which just a few years ago were entirely satisfactory may no longer be entirely suited to the elderly. Design features adequate for the young no longer come up to the needs of an older person. There have been a number of careful studies of the special design features such as single-floor plans, ramps instead of steps, wide doorways and special measures in the bathroom and kitchen. Actually, many of these features are desirable even for the younger families, but the fact is that modern housing built for the general market do not include them and private lenders tend to shy away from such housing on the grounds that it is "special purpose" housing which limits its market. The fact of the matter is that there is a tremendous market for such housing and I am sure that as experience shows the success of these programs, private lenders will be encouraged to keep more of their funds to work in meeting this problem. An important consideration in planning housing for the elderly is the striking difference between the financial picture of older people as compared to younger people. A large majority are retired or unable to work. Because of this, good housing properly designed assumes a very special importance since it becomes in most cases a focal point of their lives.

Sharply reduced incomes are a third and pressing reason why we need special legislation to help the elderly. Many families are unable to provide for their later years through savings and investment in home ownership and many are able to plan an adequate retirement income, the plain truth is that most senior citizens are forced to live on very modest incomes. Often the financial planning of earlier years will no longer be enough to carry the program until about October of next year. In my judgment this program is one of the most successful that the Congress has ever authorized, and it has found widespread acceptance. Already the Housing Agency has received applications for more than $150 million in these loans. This is more than the amount needed to carry the program and thus this additional legislation is urgently needed.

The other major provisions of the bill are designed to extend to our older citizens in rural areas benefits similar to those which now exist under the Housing and Home Finance Agency for people in urban areas. The Housing Act of 1949 established a program of direct Federal loans to build or improve housing in rural areas where private financing is not available on reasonable terms. At present an applicant for one of these loans must already own the land and the loans cannot be used to purchase existing homes. These limitations present special problems to older people who wish to move closer to town but are unable to buy the building site entirely out of their own resources. They need to be able to buy the land along with the home in order to have a comfortable retirement in rural homes. In addition, existing housing often represents the best investment for older people because it

can be purchased at a lower price with- out delay and in the area where they wish to live. This bill would remove these limitations for the housing of all older families. At the same time it would permit the Farmers Home Administration to accept co-signers if the elderly applicant does not have sufficient income to safely assure repayment of the loan. These amendments would make this program extremely helpful to those older people who want to have a home of their own. And in the communities where two or more rural areas would establish a program of direct loans for rental and cooperative housing sponsored by nonprofit and cooperative organizations. This program, which would be administered by the Farmers Home Administration, would be very similar to the HHFA program created in 1959 which has proved so successful in urban areas. The interest rate on these loans would be the same as that established for the urban program, currently 3 1/2 percent, and the loan maturity would extend for 50 years. I believe that this bill will fill an important gap in our housing legislation by providing good housing at reasonable rents for rural families who are no longer willing or able to take on all the responsibilities of maintaining homes of their own.

This bill would also set up a program of mortgage insurance for rental housing for the elderly in rural areas, generally similar to that now administered by the Federal Housing Administration, with adjustments for the special mortgage problems of rural areas. Under this program, the FHA has established a maximum maturity of 40 years and an interest rate of 6 1/2 percent. An insurance premium would be collected to build up reserves and enable the program to pay its own way. This provision will enable private lenders to finance rental housing for rural elderly families of whom there are approximately 750,000.

Finally, the bill will liberalize the program of grants to improve rural housing which was established in 1949 by raising the grant ceiling from $600 to $1,000. This program assists farmers who have incomes which are so low that they cannot qualify for loans to make improvements necessary to the health and safety of the occupants or the community. The present $600 ceiling was established more than a decade ago when much lower cost levels prevailed and the committee feels that we are justified in raising the maximum. This provision would be particularly helpful to the elderly for whom health and safety remain special problems.

Mr. Speaker, in a word, this bill is designed to expand our programs of assistance to meet the urgent housing needs of our elderly, building on the firm foundation of existing programs which have proven so highly successful. In addition, it is designed to give our millions of older citizens in rural areas parity with the aids now available to those who live in the city. I urge all of my colleagues to support this vitally needed legislation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?
Mr. RAINS. I yield to the gentleman from Iowa.

Mr. GROSS. I find no departmental reports in the report accompanying this bill. Is there some particular reason for that?

Mr. RAINS. We have all of the departmental reports. We had all of the heads of the agencies involved at our hearings who testified in favor of the bill.

Mr. GROSS. But there is none contained in the report?

Mr. RAINS. Well, they could of course have been included in the report but we printed them instead in the record of our hearings.

Mr. GROSS. The Department of Agriculture appropriation hearings for 1963 show that this fund for rural housing grants and loans will have an estimated unobligated balance of $277,611,000 at the end of this fiscal year.

Mr. RAINS. I do not understand what the gentleman means. That may be the authorized amount. The Farmers Home Administration is now pleading with the older people for money with which to make the loans.

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

Mr. WHITTEN. Mr. Speaker, I yield myself an additional 3 minutes.

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

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

Mr. WHITTEN. May I say to the gentleman from Iowa that the funds to which the gentleman from Iowa has pointed were carried in the original act. It is a continuing fund and the funds that are available to the Farmers Home Administration in that amount. However, since the Farmers Home Administration went into the rural housing program as against requiring that it be strictly farm housing, the demand has been so great that at the present time there has been a freeze order by the Bureau of the Budget on the use of those funds, accounting for all of the pressure that Members have been receiving from applicants and people back home, including the State Farmers Home Officers and a number that are under the freeze order on allocating those funds. But they are in existence, and it will take only a release by the Bureau of the Budget to make them available.

Mr. GROSS. If the gentleman will yield further, then you are asking for an additional $50 million on top of the $277 million unobligated, or will be unobligated as of the end of this fiscal year?

Mr. RAINS. No; the gentleman is mistaken about that. We are not asking for additional funds in the very same program that the gentleman from Mississippi [Mr. WHITTEN] has discussed. We are asking now for the additional funds in the housing for the elderly program.

I would say this to the gentleman from Iowa: I am greatly concerned—and I am glad the gentleman from Mississippi brought it up—and I have urged the Budget Bureau to do something about the release of the funds to the Farmers Home Administration for that particular housing program, because many Members and many people have written to me about it. But that is a different situation from what we are discussing here.

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

Mr. RAINS. I shall be glad to yield to the gentleman from Alabama.

Mr. PELLY. Is this $50 million to be in borrowing authority or so-called back-door spending, and a part of it for an appropriation?

Mr. RAINS. All of the new programs authorized are on an appropriation basis. That includes the $100 million additional for the urban district loan programs and the $50 million made available to start a similar program for the elderly in rural areas. The other $50 million in loans for sales housing, it is true, comes out of Treasury borrowing, but this program is not really new but is merely an extension of an existing program to also cover the rural elderly.

Mr. PELLY. I commend the gentleman from Alabama [Mr. RAINS] and I am greatly concerned about this program.

Mr. WHITTEN. Mr. Speaker, I yield myself 5 minutes.

Mr. WHITTEN. Mr. Speaker, I yield to the gentleman from Mississippi.

Mr. RAINS. Mr. Speaker, in terms of the funds which have been available, this is a very modest one. As an effective contribution toward meeting one of the most pressing needs of the fastest growing and lowest income segment of our society, the Senior Citizens Housing Act will continue to prove to be fruitful and worthwhile an investment as our Government can make.

It is extremely significant, I believe, that the Committee on Banking and Currency reported this bill favorably without a single dissenting vote. This fact testifies to the overwhelming support which our committee views the housing needs of the elderly, to the success which this program has enjoyed in its very short life, and to the continuing need for this kind of assistance.

I very strongly supported this program, Mr. Speaker, when it was initiated as a part of the Housing Act of 1959. At that time, it seemed to many of us that the special difficulties which older people faced in securing adequate housing justified a special program of this kind. Experience showed that existing Federal housing assistance did not meet the needs of retired persons, a substantial proportion of whom occupied old and obsolete housing but had such sharply reduced incomes that they were unable to meet housing requirements of conventional or FHA-insured private housing. On the other hand, incomes of retired persons were just high enough to disqualify them for assistance under the public housing program.

The past 3 years have confirmed the accuracy of this analysis. As of June 30 of this year, all but $12 million of the $20 million that was appropriated for the direct loans for housing of our elderly citizens at 3 1/2 percent interest over a period of 50 years.

There are important advantages to this program other than the saving in rental charges. Under the direct loan program, housing must be especially planned and built for use by elderly persons. The design of the housing units must conform to the special requirements of older people, who need accessibility, comfort, and convenience. Housing must also be located in such a way as to provide for the health, transportation, shopping, church, recreation, and other social and community needs of the occupants. In these respects, therefore, the direct loan program has helped to pioneer the design and construction of such housing for the elderly and has had a most salutary effect on stimulating the construction of the kind of overall environment most suitable for persons in their older years.

This legislation, Mr. Speaker, meets all the tests of a constructive bill. The need for this program has been found to be a very real one. This need cannot be met in any other way. Early experience under the program proves that it is a practicable and effective way of meeting the need. The cost of the program to the taxpayers is moderate, and the direct loan basis on which the program operates assures eventual repayment of the Federal investment.

In every respect, this is a good bill, and I urge all of my colleagues to support it.

Mr. McDONOUGH. Mr. Speaker, I yield myself 5 minutes.

Mr. McDONOUGH. Mr. Speaker and Members of the House, I doubt that there is anyone who would begrudge the senior citizens of this Nation better housing and more adequate housing, under favorable terms, at a reasonable rent. As a matter of fact, that is the manner in which this bill came out of the committee. Extensive hearings were held by the committee and all of the departments involved in this type housing were heard, reports were made, and the subcommittee session passed this bill out for consideration on the floor of the House by 18 votes to 13, and I present, and no more than 5 days.

Mr. Speaker, as the chairman of the Subcommitte on Housing, the gentleman from Alabama [Mr. RAINS] has informed you, this is an extension of an Act of Congress that has alleviated the housing difficulties of our elderly citizens at 3 1/2 percent interest over a period of 50 years.
Mr. Speaker, in order to show the need I read from the report and recent study by Cornell University which analyzes the quality of homes held by people 50 years ago and an additional 40 percent were living in houses built between 30 and 50 years ago. The aged in poorer health tended to occupy the poorest housing.

There is a great need for this type of housing. It is limited to those people who are in the income bracket where they do not qualify for public housing but who are above the age of 62. That number of people is increasing very rapidly in this country.

In 1960, there were 7 million persons who had reached or passed the age of 60, living in rural areas. Almost 3 million of these persons and about 5 million in the small rural communities of America.

These figures indicate that there is a demand for housing in the rural areas as well as in urban areas. This bill provides for the housing of elderly in the rural areas.

Mr. Speaker, there is no apparent opposition to the bill. I endorse the statement previously made by the Chairman of the Subcommittee and urge the Members of the House to support the passage of this bill as needed legislation.

Mr. RAUSCH. Mr. Speaker, I yield such time as he may require to the gentleman from Pennsylvania [Mr. Barrett].

Mr. BARRETT. Mr. Speaker, one of the most heartening developments in the past few years has been the recognition by the Congress of the needs of older people — our senior citizens — and our moral obligation to help them meet their special problems. These are the men and women who, through a lifetime of honest toil, have made America the wealthiest and most powerful Nation in the world today. Those of us who have a heart are ready and willing to take whatever steps are necessary to pay our tremendous debt to the older generation.

In the field of housing, senior citizens are confronted with a special group of obstacles. Their age makes it difficult for them to obtain mortgage loans. Because the great majority of our older folks have fixed and limited incomes, they are often unable to find the kind of housing they need at rents which they can afford. The handicap of advanced age also require specially designed and planned housing.

I am privileged to serve in the Congress has sponsored a number of financing programs to provide better housing for the aged.

We have liberalized FHA financing to make it easier for older folks to obtain a mortgage on liberal terms.

We have also established a program of FHA insurance for rental housing for senior citizens. Already, we have one of these FHA projects completed in my own Philadelphia — the York House with over 200 units — and I am sure that in the very near future we will see many more.

We have made special provision to make low-rent public housing available for senior citizens. These are people in the very lowest income range who are desperately in need of housing aid. This law provides that low-rent housing units can be specifically designed to meet the needs of the elderly, and in last year's housing act we authorized an additional Federal payment of up to $120 a year for apartments occupied by the elderly if needed to meet the operating costs of the project. Over 100,000 units nationally, or more than one-fifth of all public housing dwellings, are occupied by older families. Right now over 1,400 low-rent units — I out of every 8 — are occupied by persons over 60 years of age in Philadelphia. Moreover, we have more than 500 units built or planned which are specially designed for the elderly and undoubtedly the number will increase as the public becomes aware of the need.

Another program which is proving to be of great value in meeting the housing needs of the elderly is the program of direct loans from the Government at a low rate of interest to nonprofit corporations to build housing for senior citizens of modest income. Under the direct loan program the interest rate is 3½ percent and the loan maturity can extend to 50 years. These terms make it possible to reduce rents to senior citizens by $15 to $20 a month as compared with rental projects financed at market interest rates.

Unfortunately, the previous administration dragged its heels in administering the program and at first progress was slow. However, the Kennedy administration fully recognizes the needs of our senior citizens and the value of this program. As a result, activity has risen sharply and I am confident that it will continue to rise. Making good housing at modest rents for our growing number of older citizens. The bill now before the House — the Senior Citizens Housing Act — would authorize an additional $100 million for these loans so that this vital program can continue to operate in high gear.

Mr. Speaker, when our Housing Subcommittee held hearings on this important legislation, it had the unanimous support of the witnesses who testified. It was well deserves that support and I strongly urge my colleagues in the House to join me in supporting it here today.

Mr. RAUSCH. Mr. Speaker, I yield such time as he may require to the gentleman from Massachusetts [Mr. Lane].

NEW AND BETTER HOUSING FOR SENIOR CITIZENS

Mr. LANE. Mr. Speaker, the U.S. Government has accomplished much in providing public housing for low-income families. These are slum areas, but there is yet more progress in meeting the special housing problems of the aged.

Public housing projects for the aged, however, aimed to help those most in need of safe, pleasant, and healthy accommodations for eligible occupants that exclude all but those who depend upon social security or other forms of meager pensions.

Not enough has been done for the construction of housing for the next group: elderly families whose incomes are just below $3,000, or about $240 per month. A recent Cornell University study shows that over 400,000 units are required for this income group.

Our responsibility is to encourage and help in the construction of suitable housing for older persons whose incomes are too high for public housing, but not sufficient to meet the cost of good housing provided with private financing at conventional interest rates.

Twenty-one million Americans are now 62 years of age and over. By 1980, we will have 30 million in this age group. The over-65 population is increasing by 400,000 each year. A fact which has escaped public notice is that 3 percent of those reaching the age of 60 have a parent or close relative over 80 to consider. Our society must face the increasing challenge of the housing needs of not one, but two generations of senior citizens at the same time.

The average income of the aged is about 50 percent less than those under 65. These citizens must take into account their income levels and the relative inflexibility of their income potentials.

About two-thirds of the aged now live in their own homes. They face problems of rising maintenance costs and property taxes. As a result, much of their housing is too large for their needs, too costly for upkeep, and ill adapted to meet the special needs of the aged.

It is appalling to observe that 19 percent of the households occupied by senior citizens are without private bath, toilet, or kitchen. Most of these properties are dilapidated and even dangerous. Seventeen to twenty percent of the aged with pathetically small incomes, or because of health, live with their children or a close relative in standard housing. But senior citizens prefer to live independently if they can for the sake of their human dignity.

Because of age, senior citizens find it almost impossible to obtain liberal mortgage financing. Limited by small and fixed incomes, they are unable to afford the type of housing that they require.

The purpose of H.R. 12628 is to authorize the appropriation of an additional $100 million for the existing program of direct loans to provide housing accommodations for elderly in urban areas, so that rental housing is provided for them at rents of $15 to $20 a month below projects financed either in the usual way or with FHA insurance. A comparable program will benefit those living in rural areas.

Low interest rates on loans that will not mature for up to 50 years are offered as an inducement for private non-profit organizations, cooperatives and certain public bodies or agencies, to construct this type of housing.
Eligible properties include rental housing structures and such related facilities as dining halls, community rooms, infirmaries, and other essential service facilities.

By administrative action, the Housing and Home Finance Agency has been following the policy of confining its loans to new construction, although the present law permits loans to rehabilitate, convert, or improve existing structures. The Committee on Banking and Currency wisely decided to change the law, in line with overall policy preference, to guarantee brand new construction that will fully meet the needs of elderly persons.

The housing provided under the direct loan program, designed for the safety, comfort, and convenience of older people, will benefit them in more than material ways.

Special housing for this group is helpful to personal and social relationships. The aged feel more at home with those who share their outlook and their interests.

The Senior Citizens Housing Act of 1962 marks further progress in our continuing efforts to protect the senior citizens of the Nation.

Mr. RAINS. Mr. Speaker, I yield such time as he may require to the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Speaker, I am pleased to support the Senior Citizens Housing Act. It provides a comprehensive program of rental and moderate cost housing for the elderly.

Twenty-one million Americans are now 62 years of age or over, and it is expected that this figure will rise to 30 million within the next two decades. Since these people generally must live on very limited incomes, it is our obligation to make suitable provision for them.

Mr. RAINS. Mr. Speaker, I yield such time as he may require to the gentleman from New York [Mr. RYAN].

Mr. RYAN of New York. Mr. Speaker, I rise in support of this legislation. Housing for the aged is a national problem. As a result of advances in medical care and higher standards of living, more people are living longer. This trend can be expected to continue in the coming decades.

Some 21 million people in the United States are now 62 years of age and over. By 1980, we expect at least 30 million in this over 62 age group. The urgency of positive solutions to the problem of housing for older people can also be illustrated in terms of the growth rate of this segment of our population. The group over 62 years of age rose 36 percent between 1950 and 1960, and those over 85 years of age increased more than 60 percent, while the population as a whole increased only 19 percent. The group over 62 years of age is currently growing at a net rate of 500,000 persons each year.

Provision for the basic needs of our senior citizens is a problem which will soon affect three generations of Americans. Already one out of three persons reaching the age of 60 has at least one parent or close relative over 60. In just 40 years this ratio is expected to rise to two out of three.

When one realizes that 50 to 60 percent of older persons over 65 and over, having less than $1,000 total cash income annually, the problem of caring for more than one generation of older people becomes serious indeed. The aged are not a homogenous group in terms of income and monetary assets. Although some have adequate means, most do not. The group as a whole tends to be in the lower money income brackets. The median money incomes 50 percent less than those under 65 years of age.

Housing for the aged should take into account their prevailing income levels and the relative indeterminacy of these incomes. Most older people cannot expect any significant increases in their income in future years although the cost of living will continue to rise. The Bureau of the Census studies indicate that among the 6.2 million families with heads 65 and over, half had family income levels of less than $1,500 and one-fourth had less than $1,000. These family incomes supported an average of 2.6 persons per family or a total of approximately 9.3 million aged and about 6.7 million younger persons. Single elderly adults with non-working spouses and their relatives are even less fortunate. Half of the 3.6 million aged persons in this category had incomes of less than $1,019, while four-fifths had under $2,000.

Even though older persons are more likely than younger persons to have some savings, in general those with the smaller incomes are the least likely to have other non-moneymoney assets to fall back on. In addition, most of the savings of the aged are tied up in their homes or in life insurance rather than in a form readily convertible to cash for emergencies.

With such limited financial means, most older people have been unable to afford decent housing. Mr. Speaker, the proposal before us today will do much to help older people. Until recent years, the vast majority of the aged have been left to their own resources. Their housing needs cannot be met by the private market. Thus, these Federal loans make a real difference in rents and the type of housing for older people in this income bracket can afford.

Mr. Rains, the basic objective of all assistance to the elderly should be to
foster the maintenance of their independence in their own homes and communities. Today most older people want and can live independently in their homes. More standard suitable housing for the elderly in a variety of price ranges and types—including homes for sale and rent and high-rise apartments—cooperatives and rental—and adequate community facilities are needed to meet this need. Federal assistance to promote the provision of this housing will go far toward making this goal possible. Mr. ROOSEVELT. I rise in support of this bill. Mr. WIDNALL. Mr. Speaker, will the gentleman from Alabama yield for a question? Mr. RAINS. I yield for a question. Mr. YATES. Is there an extension of the direct loan program in this bill for housing for the elderly? Mr. RAINS. Yes; it is the first section of the bill. Mr. YATES. And it has worked well under the present law? Mr. RAINS. Indeed. Mr. WIDNALL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the bill under consideration. The SPEAKER. Is there objection to the request of the gentleman from Alabama? There was no objection.

Mr. McDONOUGH. Mr. Speaker, I yield such time as he may require to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Speaker, I rise in support of this bill. I would like to call the attention of the House to the fact that in July I introduced a bill for $125 million additional authorization for this program, feeling that it had filled a great need in our country and deserved further attention. At that time I also requested in the bill that the new program be confined to new construction. Within the committee that amendment was adopted. The bill as now presented to the House is amended so that in the future it will be confined to new construction. This means you can build in accordance with the real needs of the situations where housing is required. Also it will mean that you will not have the problem of displacement of citizens, which has taken place in the past.

Mr. Speaker, I urge the adoption of the bill. I feel it is in the best interests of our elderly citizens.

Mr. McDONOUGH. Mr. Speaker, I yield such time as he may require to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Speaker, I rise in support of this legislation. It is a long step forward in providing housing for the elderly—a most vital need that affects the 21 million people that are 65 and over. I have long advocated such a program and have been repeatedly urging the Housing Administration to spur cooperative programs in this field between the Federal Government and the private sector. This bill meets that objective and I support it wholeheartedly.

As a member of the Banking and Currency Committee I wish to commend the distinguished chairman of the Housing Subcommittee and its membership on this bill. I am well aware of the hard work and dedicated efforts by the committee chairman that resulted in this workable and meaningful program.

The program will provide housing for the elderly in urban areas as well as rural areas and will set up a new program of direct loans to private corporations and consumer co-ops for moderate cost, rental housing for the elderly. Additional insurance is provided for rental housing as well.

Mr. Speaker, we in New York are particularly pleased that under the direct loan program, long-term low-interest rate loans will be continued on a more adequate scale. Last year I was one of those who fought for the amendment—which was adopted—to make consumer cooperatives eligible for these benefits for elderly housing. This bill will provide additional incentives for both cooperatives, public bodies, and private corporations to build projects that are especially planned for use by elderly families.

Mr. Speaker, again I urge an overwhelming vote for passage of this most desirable bill. We can do no less for the security of the elderly.

Mr. RAINS. Mr. Speaker, I yield such time as he may require to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, I thank the distinguished gentleman from Alabama and congratulate him on a very wonderful, wonderful bill.

Mr. Speaker, the great gentleman from Alabama has his usual skill brought as a bill benefit to those who need it urgently. It is a pleasure to congratulate him and his committee members. Too often we pass over the needs of our senior citizens who have little or no lobby here in Washington. This is a bill that truly adds to the achievements of the 87th Congress.

Mr. RAINS. Mr. Speaker, I yield such time as he may require to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, I ask unanimous consent to extend my remarks at this time as I may.

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

There was no objection.

Mr. RAINS. Mr. Speaker, I am very happy to support this bill which would expand and better the Federal programs of housing for the elderly, not only in urban areas, but in rural areas, as well. Every study that has been made of the problems of the aging has indicated that their needs are many and that one of the most important is the need for housing at prices they can afford to pay. Those age 65 and over are part of the fastest growing segment of our population; and, unfortunately, most of them do not have the means with which to provide adequate, decent housing for themselves. The report on the bill shows the extent of the enormous need for new housing and housing rehabilitation for the elderly. This legislation, too many of them are compelled to live in slums. In rural areas, their houses are old and are in great need of repair.

This bill gives an opportunity to them to live their later years in good, fairly modern surroundings. It is an excellent bill. I favor the passage most strongly.

Mr. Speaker, I am a member of the Banking and Currency Committee, I urge the enactment of the Senior Citizens Housing Act.

In my community and throughout the Nation we are the first beneficiaries of this splendid program. It would be tragic if this program were to "bog down" because of lack of funds at the moment it was beginning to produce results.

In my community, the great majority of our senior citizens live in the central city—a surprising number in their own modest homes. Grave problems occur throughout the country. The "old age" households, such as the death of one family member, the destruction of the home by high rentals, and by the resumption of their own home. Senior citizens in most cases not to qualify for home purchase credit because of reduced income and the likelihood of costly hospital and medical expense overhead. Housing is a need which must be met. These needs are essentially large in the large population centers. This legislation provides a minimum support to a very worthwhile cause.

The WICKERSHAM. Mr. Speaker, this bill is important. I urge its passage. One of the first loans approved in this country was one at Cordell, Okla. It was dedicated a few months ago. It has proven the test of time.

With the passage of this bill, it will be possible for favorable action to be given on several applications for housing for senior citizens in Oklahoma, including Leedey and Thomas. In my community, I urge passage of H.R. 12628, the Senior Citizens Housing Act of 1962.

This bill is one of the most constructive legislative recommendations to come before this Congress and comes very close to fulfilling one of the major recommendations of the White House Conference on Aging held in February 1961.

As you know, I have been quite critical of the failure to implement the recommendations made by the 2,900 delegates to that Conference. In the final report of that forum a basic principle was pronounced that—

"All aging people—regardless of race, creed or national origin—should be adequately housed in a suitable neighborhood of their choice, and supplied with community facilities and services at rents they can afford."

Further, the report stated that "Government agencies will broaden and expand present laws, or where pertinent, interpret existing regulations so as to expedite the building and financing of needed low-rent housing for the aged."

The Senior Citizens Housing Act of 1962 with its authorization of an additional $100 million for direct loans to produce low-rent housing will make it possible for the elderly to obtain rental housing at rents $15 to $20 a month below conventionally financed projects or those with FHA insurance.
The bill also recognizes and provides for comparable housing for the elderly living in rural areas.

The greatest weakness in this bill is the amount of money authorized under H.R. 12628 is $3,300. This sum is as inadequate as it is insufficient. Many of the individuals and organizations testifying before the Committee on Banking and Currency recommended appropriations of $850 to $1,900 to provide a realistic housing program to meet the basic needs of our senior citizens.

While it has been said that the $100 million authorized under H.R. 12628 would be almost $2,000 for each of the 50 states, I believe that the full potential of the legislation cannot be realized under this limitation. I am equally sure that we will find ourselves early in the next session of Congress repeating our documentation in support of an additional authorization to meet the needs that we know will exist.

I do not think we should delay until next year to appraise the situation. We have sufficient information to insure the effective use of an increased appropriation and to postpone such action not only to the elderly but a misuse of the time of Congress to repeat all of the effort that has gone into conferences, hearings, and the final compromise appropriation of $100 million. We cannot afford the delay or the waste of time.

It has been made abundantly clear in every successful conference or meeting that once the housing extends far beyond the provisions of shelter. Adequate housing is essential to the happiness, health, and welfare of the aging citizen, and hence to the welfare and security of the Nation as a whole.

The enactment of H.R. 12628 with a sufficient appropriation will provide living accommodations for the elderly in the urban and the rural areas that will enrich their way of life and offer a future to many who now have none.

Mr. FINNEGAN. Mr. Speaker, I rise in support of this measure to provide additional funds for low and moderate cost housing for our Nation's senior citizens.

The problems which these citizens face, Mr. Speaker, are many and difficult. They are not limited, furthermore, to the 17 million persons in our country over 65 and over—a group which represents the fastest growing segment of our entire adult population. These problems are also of serious concern to the many young people who have aging parents to support; to the middle aged who find employment opportunities closing to them; and to those who are about to step over the threshold into the unsure and uncertain world of retirement.

These problems range the entire spectrum of our daily existence. They enter into such significant facets of our daily life as education, housing, travel, pensions, and productive use of retirement years.

These problems are formidable in scope, they are complex in their ramifications, and they are compelling in their quality. Nothing, of these problems is more compelling than that of providing safe, sanitary, and adequate housing for our Nation's senior citizens.

The enactment of this measure will require a substantial effort. It will require such an effort for a sizable portion of our elderly live in substandard housing; their average incomes are far below that of other groups; and their housing requirements are often special in nature.

This bill, Mr. Speaker, provides such an effort. It is farsighted and constructive. It is a measure which commend itself on the basis of both need and merit and I urge that it be approved without further delay.

The SPEAKER. The question is, will the House suspend the rules and pass the bill H.R. 12628, with an amendment?

The question was taken; and the Speaker announced that in his opinion two-thirds had voted in favor thereof.
Mr. McCONNELL. Mr. Speaker, I demand the yeas and nays.

The question was taken; and there were—yeas 367, nays 6, not voting 62, as follows:

[Roll No. 204]

YEAS—367

Abenberg by Everett
Addabbo by Kowalek
Adlai S. by Pallon
Albert by Kunkel
Alexander by Perdue
Alfonse by Ky
Anderson, Ill. by Laird
Andrews by Fenton
Andreozzi by Pangegn
Ashley by Frank
Aspinall by Petersen
Atchinson by FD
Avery by Ford
Ayres by Forrester
Baker by Frelinghuysen
Baker, P. by Friedel
Barlow by Mulligan
Barlow, S. by P. Mulligan
Barney by Rickenbacker
Bascom by Stewart
Beckworth by McDougall
Beilin by McFarland
Belcher by Madison
Belmont, Mass. by Mathias
Benjamin, Fla. by Mathews
Berry, Ala. by May
Berry, W. Va. by Mast
Betts by Green, Oreg.
Bingham by Uts
Bingham, Utah by Mack
Bingham, Colo. by Madden
Bingaman by Magnuson
Bingaman, Utah by Mahon
Bona by Georgia
Bowen by Gerald
Boylston, Me. by Gage
Brennan by Gage, Ga.
Brewer by Gage, Calif.
Brownswood by Ga.
Buckingham by Ga.
Buchanan by Ga.
Buchanan, Texas by Ga.
Buckley by Harding
Buday by Hardy
Bunyon by Harris
Bryce by Harrison, Va.
Bryce, Pa. by Harrison, Pa.
Burke, Ky. by Harrelson
Burke, Mass. by Hardy
Burleson by Harvey, Ind.
Byrne, K. by Harvey, Mich.
Byrne, Pa. by Hyatt
Byrne, Wis. by Healey
Cahill by Hecker
Carey by Hechler
Casey by Herron
Cassidy by Hester
Casserly by Hessen
Cecil by Hixson
Celer by Hixson, N. C.
Champion by Hixson, N. C.
Chambliss, Tenn. by Holliday
Chambliss, Texas by Holifield
Childs by Holifield
Chesnutt, Ga. by Horan
Chesnutt, S. C. by Horan
Church by Horner
Clancy by Huddleston
Clark by Hull
Colin by Hurn
Comer by Inouye
Cooley by Jarman
Cook by Jenness
Corbett by Jensen
Courtright by Johnson
Curtis by Johnson, Calif.
Curtis, Mo. by Johnson, Mich.
Daddario by Johnson, Wis.
Dague by Jones
Danskin by Jones, Ala.
Davila, John J. by Jones, Mo.
Deck by Jared
Dent by Karenen
Dent, A. by Keenan
Dent, D. by Keenan
Dent, T. by Keenan
Derby by Keenan
Derwinski by Kucinski
Devina by Kucinski
Diggs by Easterly
Diggel by Eastland
Dillon by Eastland
Dole by Eastland
Domino by Eastland
Dorn by Eastland
Dove by Eastland
Dow by Eastland
Downing, Calif. by Eastland
Doyle by Eastland
Driscoll by Eastland
Durno by Eastland
Dwyer by Eastland
Eddington by Eastland
Elliott by Eastland
Korcap by Edinburg
Mr. Ray and Mr. Johansen changed their votes from "aye" to "nay".

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTIONS TO SUSPEND RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that motions to suspend the rules under rule XXVII, in order on Monday, September 3, be referred to Thursday, August 30, 1962.

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

Mr. WILLIAMS. Mr. Speaker, I object.

INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11069) to amend the Public Health Service Act to provide for the establishment of an Institute of Child Health and Human Development, to conduct and support research, training, and other purposes, with an amendment.

The Clerk read as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title IV of the Public Health Service Act (42 U.S.C. ch. 6A, subch. III) is amended by adding at the end thereof the following new section:

"Establishment of Institute of Child Health and Human Development"

"Sec. 441. The Surgeon General is authorized, with the approval of the Secretary, to establish in the Public Health Service an institute for the conduct and support of research and training relating to maternal health, child health, and human development, including research and training in the special health needs of mothers and children, and in the basic sciences relating to the processes of human growth and development, including prenatal development."

"Establishment of Institute of Child Health and Human Development"
to any council established under this section, except that the requirement in such sections that six of the members shall be selected from leading medical or scientific authorities who are outstanding in the field with which the council is concerned, shall be met only with the approval of the Secretary, except that the Surgeon General may, with the approval of the Secretary, specify in such sections that six of the members shall be selected from leading medical or scientific authorities who are outstanding in the field with which the council is concerned, and except that the Surgeon General, with the approval of the Secretary, may include on any such council established under this section such additional ex officio members as he deems necessary in the light of the functions of the institute with respect to which it is established.

(2) Upon appointment of any such council, it shall be the duty of the Surgeon General to notify the council of the nature of its functions.

The PROPOSED new Institute of Child Health Research and Human Development is designed to coordinate programs in the fields of child health and human development and to stimulate new interest, and coordinate effort in these important research areas.

The new Institute will give major attention to the study of the continuing process of growth and development that characterizes all biological life—from reproduction and prenatal development through infancy and childhood and on into the stages of maturation. The proposed new Institute will institutionalize a major program of training in the following broad areas:

First. The biological and physiological aspects of human reproduction, growth, and development.

Second. The study of the prenatal and perinatal period in human development, from conception until shortly after birth.

Third. Obstetrical and pediatric problems not directly related to the specific disease interests of the other Institutes.

Fourth. Studies of the process of maturation.

The proposed new Institute of General Medical Sciences will continue to carry out without any essential change the research and research training activities of the present Division of General Medical Sciences. It will support research and research training in those scientific areas which provide a common basis for understanding a wide range of disease processes. Specific areas of research will include:

First. The basic medical, biological, preclinical, and the related natural and behavioral sciences. This includes anatomy, histology, physiology, biochemistry, biophysics, molecular biology, cellular biology, immunology, pathology, and pharmacology.

Second. Certain clinical sciences, such as general surgery, orthopedic surgery, dermatology, pathology, and anesthesiology.

Third. Public health, medical care, and nursing.

Fourth. Methods of science, such as electron microscopy and biostatistics.
Studies in these fields are usually not related to any particular disease, but they provide the fundamental knowledge of structure, function, and metabolism of living systems, which are essential to the understanding of all aspects of health and disease. Therefore, it is essential that research be supported on the broadest possible basis.

The National Institutes of Health, established by the National Foundation Act of 1946, is the principal Federal agency for the support of biomedical research and training. It is composed of seven Institutes and a General Medical Sciences Program. The Institutes are independent units of the Health, Education, and Welfare Department, and each is primarily concerned with one major area of human health. The General Medical Sciences Program provides support for research and training in the broad spectrum of medical sciences.

The National Institutes of Health perform an important role in the development of new knowledge and in the training of new investigators. They provide a structure and organization for research and training in the biomedical sciences, and they are a focal point for the coordination of research and training programs in the biomedical sciences. The Institutes also provide a mechanism for the dissemination of new knowledge to the scientific community and to the public.

The National Institutes of Health are supported by appropriations from the Federal Government. These appropriations provide a stable source of support for the Institutes, and they allow the Institutes to plan and conduct research and training programs on a long-term basis.

The National Institutes of Health also provide a mechanism for the coordination of research and training programs in the biomedical sciences. The Institutes are responsible for the development of policies and guidelines for the conduct of biomedical research and training. They also provide a mechanism for the dissemination of new knowledge to the scientific community and to the public.

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mental retardation may be as high as 17692 of which we do not yet have adequate knowledge for prevention. Still other children accumulate physical or emotional problems during childhood and adolescence. By the time these children reach manhood, many of them do not qualify for service in the Armed Forces. The extent of rejection for military service is a reflection of the state of physical fitness of our youth.

For the purpose of this legislation it is to strengthen the administration of research and training programs of the NIH which are not necessarily related to any particular disease or disease category.

Mr. HARRIS of Alabama. That is correct. As the gentleman knows, we have practically eliminated the infection of many children with powerful vaccines and better nutrition, but those have been displaced by such things as retardation, Mongolism, blindness, and many other problems that are sometimes very difficult and about which practically nothing is being done.

Mr. HARRIS. For the information of the House, is it not true that there are within the National Institutes of Health seven Institutes, each with its own advisory council for seven different diseases or groups of diseases?

Mr. ROBERTS of Alabama. That is correct. They are related to certain specific diseases such as heart disease, cancer, mental health, and neurological diseases.

Mr. HARRIS. Under present authority the Surgeon General may set up this type of organization for special purposes?

Mr. ROBERTS of Alabama. That is correct.

Mr. HARRIS. Is it not true that this sets up a specific category of the Institute such that the National Institutes of Health can make special studies of human development, that is, the development of the child and all those things that have to do with it?

Mr. ROBERTS of Alabama. That is true. This is a very critical thing for this reason: We have fallen from 6th to 10th place among civilized nations of the world in the number of children who do not become 1 year of age. We are now in 10th place among the nations of the world.

Mr. HARRIS. I would say to the House that this bill has been carefully worked out. It indicates what it is. It specializes on the problem of children. I am sure the membership of this House after a careful understanding of what it will do will be wholeheartedly in support of this program.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS of Alabama. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. I am equally interested in anything that affects our children, especially when we have grandparents throughout as to what they are doing. I think the gentlewoman will be satisfied with the review that will be given.

Mr. BOLTON. Of course, the results of such a review would be, perhaps, a year or a year and a half or even more from now and this will be furnishing the money and we would not know just where we are with this.

Mr. ROBERTS of Alabama. I think the gentlewoman will remember that I made the statement that no funds will be requested for 1963 fiscal year.

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

Mr. ROBERTS of Alabama. I yield to the gentlewoman.

Mr. QUIE. You also mentioned that you limit the age to 21 as provided in this bill and, yet, in the report in a number of places you say that there will also be research requirements for mothers, children, and aged persons.

Mr. ROBERTS of Alabama. That was taken care of by the committee amendments which the chairman filed when the bill was called up. We have strictly reference to aging in this bill.

Mr. QUIE. I see, and that amendment will take care of the reference to aging?

Mr. ROBERTS of Alabama. That was by agreement with the minority.
stitute of Health for Children would promote efficiency and reduce costs.

Mr. THOMPSON of Texas. Mr. Speaker, I yield to the gentleman from Texas [Mr. Thom- 

Mr. THOMPSON of Texas. Mr. Speaker, I yield to the gentleman from Florida [Mr. Ro­

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One can look at this bill primarily from the point of view of whether or not the American child is getting the benefit of the research and medical advances of the last generation. Much of the research involving the fields of general medical sciences and child health and human development.

Another way of looking at this bill is to inquire whether it will permit us to gain additional scientific knowledge in fields in which such knowledge is badly needed. When representatives of the pharmaceutical industry testified last week before our committee on legislation aimed at strengthening the Nation's food and drug laws, they stressed our woeful lack of scientific knowledge which con­

These two new Institutes, and particularly the Child Health Institute, are aimed at securing additional knowledge in these all-important fields. We need to know how our children grow and develop in order to educate them properly and foster their educational advancement. We need to know how our children grow and develop in order to educate them properly and foster their educational advancement. We need to know how our children grow and develop in order to educate them properly and foster their educational advancement.

There is a third way of looking at this legislation. The question might be asked, Is this legislation economically sound? My answer to this question is an unqualified “Yes.” The legislation does not provide additional spending author­

The cost of the legislation is minimal.

Mr. Speaker, for all of these reasons I support this legislation and to those who say that we cannot afford the minor additional expenditures contemplated by this legislation, I say we can ill afford not to spend these few additional dollars in order to avoid the expenditure of much larger sums in caring for or re­

Mr. HARRIS. Mr. Speaker, I yield to the gentleman from Florida [Mr. Rocca], a member of the subcommittee.

Mr. ROCARRTY. Mr. Speaker, this bill is one of the most important pieces of legislation affecting the future welfare of the American people—and especially parents of born children who are born with severe handicaps.

Much work affecting child health is, of course, already being done and supported by NIH. The Heart Institute is as con­

The creation of a National Institute of Child Health and Human Development and the elevation of the Division of General Medical Sciences to the status of an Institute will signify the beginning of a new era in our country's concerted attack on disease and disabil­

I am confident that dramatic and rapid progress will result from the better approach which these Institutes will make possible.

Mr. Speaker, for all of these reasons I support this legislation and to those who say that we cannot afford the minor additional expenditures contemplated by this legislation, I say we can ill afford not to spend these few additional dollars in order to avoid the expenditure of much larger sums in caring for or re­

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more complex problem of the total development of the human body from conception through maturity. There is no institute which can give its full attention to the relationship between all the physiological and environmental factors affecting the development and normal development of the child and young adult.

In the basic biological sciences, about which we like to speak in a manner that the need for interdisciplinary approaches to biological problems is now well recognized. It has become perfectly clear that biological problems cannot be fully understood and most of them cannot be solved unless a much broader range of scientific knowledge, skills, and techniques than those available to the biologist working alone is brought to bear on them. Nature simply will not confine herself to the neat compartments into which man has divided his study of science.

The need for a broader approach is now no less evident in the so-called clinical sciences. Nature does not maintain the distinctions drawn by man in his classification of diseases. Research on mental illness already is being carried sharply across the field for which the various categorical Institutes are responsible. Let me mention just two examples. What now seems to be among the most promising work toward making some progress toward understanding the causes of cancer is being done in virology which is primarily the concern of the National Institute of Allergy and Infectious Diseases, whereas research has been made on the metabolic origins of several neurological diseases and of some forms of mental retardation—work which cuts across the interests of three Institutes.

The need for supplementing and complementing the disease-oriented research of the categorical Institutes with a broader effort aimed at the understanding of the complex processes of development and what happens to them and why they go awry—is nowhere more obvious than in the field of child health. The blunt truth is that despite the great spurt in medical knowledge of the past 20 years, very little is known about the prenatal factors that determine whether a newborn baby will be healthy and bright or deformed or retarded.

The tragic thalidomide cases, which have been so much in the news these last few weeks, illustrate the terrible consequences of the inability of scientists to predict the effect of drugs, taken by the mother, on an unborn child. But this is only the latest example of the discovery of an unsuspected danger to child health. It is natural to be indignant that the damage done by this drug was not prevented and it is, of course, essential to take whatever steps we can to tighten control over the experimental use of drugs in the hope of preventing the tragedies in the future. But we must also be thankful that this danger was discovered relatively quickly.

It has taken, for many years, to take X-ray pictures of pregnant women before it was discovered that this useful tool in insuring a safe delivery might actually damage the baby. No one knows how many infants died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby. No one knows how many thousands died or were born with possible damage to the baby.

You have seen the recent report of evidence that smoking during pregnancy can lead to congenital abnormalities and malformation during the reproductive process. This, in turn, will unlock the door to deeply penetrating research into the way in which biological processes can be controlled to prevent the abnormalities and defects—some of them, fortunately, only minor blemishes—that now occur in something like 1 in every 100 pregnancies.

What is urgently needed is a center at which the problems of child health and human development are viewed as part of a continuous, interrelated process; a center which will examine the discoveries of narrower, disease-oriented research for their possible relationship to the normal growth process; a center which will be able to take the findings of quite distinct clinical or biological problems but which may have a mutual relationship to the general development of the body; a center which will identify those factors which change normal body changes and stimulate research to fill these gaps or to link discoveries concerning specific diseases to their possible hereditary background or genetic effect. Such a center would also serve as a national repository and clearinghouse for information on developmental problems. It would greatly facilitate the widespread dissemination of research findings in this complex and vitally important field.

The National Institute of Child Health and Human Development, authorized in this bill, will have these functions. Its creation will help to focus the appropriate segments of the work now being done—and most of which will continue to be done—under the auspices of the seven categorical institutes on the problems of child health and human development. The new Institute's professional staff and the new advisory council that will be established will be able to give their full attention to this vitally important field.

I am sure that we may confidently expect that the creation of this new Institute will lead to a dramatic increase in the pace and effectiveness of the research attack on a wide range of fundamental problems whose solution will go a long way toward eliminating the tragedies of infant deaths, mental retardation, neurological defects and crippling physical malformations.

The other major provision of the bill would confer the title and status of an Institute on the present Division of General Medical Sciences.

During the 4 years since this Division was created, it has given nine independent and separate program direction to research and training in the basic clinical and biological sciences, its programs have rapidly expanded in scope and impact. The appropriation for the Division for the current fiscal year is larger than that of all but four of the seven existing Institutes. Its support for research projects—which account for nearly all of the Division's expenditures—is greater by discovering what has been called the key to the genetic code. This key holds out the very real promise that scientists will in the next few years be able to unravel the extraordinarily complex processes that govern the inheritance and development during the reproduction process. This, in turn, will unlock the door to deeply penetrating research into the way in which biological processes can be controlled to prevent the abnormalities and defects—some of them, fortunately, only minor blemishes—that now occur in something like 1 in every 100 pregnancies.
than that of all but two of the other Institutes.

In fact, this Division is already an Institute in all but name. This bill will give formal recognition to the importance, role, and place of the basic clinical and biological sciences.

Elevating the Division to the status of an Institute and providing it with a separately appropriated budget will also underscore the importance which the Federal Government—and, I think, the country as a whole—attaches to research in the basic sciences underlying the prevention and the work of the other applied health sciences.

I have repeatedly stressed on the floor of the House and elsewhere—and it is the unanimous opinion of all those familiar with the problems of medical research—that the rate of future progress in the solution of disease problems depends squarely and directly on the progress that can be made toward a better understanding of basic biological principles. In many cases it is not just the rate of progress that will depend on the obtaining of basic information—indeed, it is whether any significant progress can be made at all.

The harsh fact is that the life sciences are still in a much more primitive state of development than the so-called physical sciences. The fundamental laws and the generally applicable theories which make it possible for physicists to harness nuclear energy, for example, are known principles which can be reproduced with predetermined properties, and for the astronomer to work out a newly discovered comet has an orbit which it takes 2,900 years to complete and which will carry it nearest the earth on a certain date at a certain place, simply do not yet exist in the biological and the behavioral sciences.

Until such basic knowledge does exist, much medical research will necessarily have to be done on a trial-and-error basis with all the dangers, frustrations, and sometimes misleading results that come with it.

It is the function of the Division of General Medical Sciences to support work which will progressively dispel the ignorance about basic biological processes and to establish the basic medical sciences on a solid foundation of known principles with predictable consequences. This is a task of such importance that the organization charged with responsibility for it amply merits the authority and prestige inherent in the status of a legally constituted and proudly identified National Institute of General Medical Sciences.

The two new Institutes created by this bill will complement the seven categorical Institutes in such a way that the NIH will have a fully rounded program aimed, in a balanced and logical manner, at discovering the fundamental principles of the life sciences, sharpening the attack on the major disease categories, and establishing the place of man as a unified living entity. The passage of this bill will demonstrate to the American people and to the scientific community the clear determination of the Congress that medical research should be vigorously pursued on the broad fronts where there has been too little activity in years past but where the most dramatic advances can now be confidently expected.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks in the Record at this point.

The SPEAKER. Is there objection to the insertion of the gentleman from Arkansas?

There was no objection.

Mr. SCHENCK. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I take this time to ask a few questions.

Do I understand this bill proposes the establishment of another Advisory Council and another Advisory Committee? Is that correct?

Mr. ROBERTS of Alabama. That is correct.

Mr. GROSS. And are there advisory committees to go along with them?

Mr. ROBERTS of Alabama. We have an advisory committee at each institute. That has been the system that has been followed since the beginning, and if we authorize these two institutes there will be a need for many pediatricians who are specialists to serve on the council.

Mr. GROSS. How many more of these advisory councils, committees, and consultants do you think the taxpayers of the country can afford right now?

Mr. ROBERTS of Alabama. I think that when you consider that mental retardation costs this country around $250 million a year, that the taxpayers would be well advised to spend a little money studying it.

Mr. GROSS. The gentleman is not saying, is he, that this is going to cure mental retardation?

Mr. ROBERTS of Alabama. Not at all, but I am sure if the gentleman is interested in the subject he will find that the cost to society of one mentally retarded child or one Mongoloid is quite considerable, and I think he will realize that this is good legislation.

Mr. GROSS. Some people might say that the gentleman from Iowa is mentally retarded.

Mr. ROBERTS of Alabama. I would not agree with them.

Mr. GROSS. On page 16 of the report I find subparagraph (f):

(f) In accordance with regulations, special consultants may be employed to assist and advise in the operations of the Service. Such consultants will be appointed without regard to the civil-service laws and their compensation may be fixed without regard to the Classification Act of 1949, as amended.

How many consultants do you think the establishment of these two institutes and its advisory committees would see fit to saddle upon the taxpayers?

Mr. ROBERTS of Alabama. Yes, there is a statement in the report. I believe it is on page 3—no, it is in the middle of page 2, which sets out the probable cost of the legislation. Further in the hearings under questioning by the gentleman from Florida (Mr. Roses) a member of our committee, I believe that and the when they got to the phase of needing money that they would probably need 50 people to carry on this work in these two institutes, which I think is wrong.

Mr. GROSS. I see nothing on page 3 of the report which conforms to the public law in this regard.

Mr. HARRIS. I think if the gentleman would refer to page 2 of the report he would find something to the cost of this proposed legislation.

I would like to say, if the gentleman would permit, on that, in further explanation that that is not new additional money for a new program. In effect is being carried on under the general plan, and already funds are being expended for this purpose. What the Department will do is authorize the general reorganization is to take this out from the general category and pinpoint it into one specialty program.

I would like to say also, in further reference to the Council the gentleman referred to, one special problem is a specialized matter, and we have to get people who are specialists in this particular field. You do not find them very easily. We already have specialists in all 8 or 10 of these categories, and it is for that reason it is advisable to have this kind of a setup if it is effective at all.

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

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

Mr. JOHANSEN. The law which the gentleman from Iowa refers to requires a projection of the number of personnel for the next 5 years, does it not?

Mr. GROSS. I cannot say as to the number of years, but it requires a projection, and I cannot find that in the report.

Mr. JOHANSEN. There is nothing on page 2 that covers that point as to the number or cost.

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

Mr. SCHENCK. Mr. Speaker, may I assure the gentleman from Iowa that the purpose of this is and it is contemplated that the cost will actually be somewhat reduced because of the combination of services in one Institute rather than several.
Mr. GROSS. Mr. Speaker, will the gentleman yield?  Mr. SCHENCK. I yield to the gentleman from Iowa.

Mr. GROSS. Where is it proposed to get the money for this additional setup? Mr. SCHENCK. May I say to the gentleman from Iowa that under the legislation we are proposing here there is to be no appropriation in the fiscal year 1963. There is expected to be not to exceed a half million dollars in succeeding years. The savings made by transferring personnel into these categories will take care of that.

Mr. GROSS. There is no requirement for money in fiscal year 1963?

Mr. SCHENCK. That is exactly what the report says.

Mr. GROSS. Then there is to be no activity in fiscal year 1963?

Mr. SCHENCK. Oh, yes. The Institutes of Health is going right ahead organizing, combing and coordinating the work in these several Institutes that have to deal in particular with children. Here is the start of appropriations to the National Institutes of Health so much of the work in these several Institutes that take care of these new functions; that actions engaged in under authority of this such bank or state bank is required to surrender its right to exercise the powers granted by this section, or to have returned to it any securities which it may have deposited with the State bank for the purposes of private or court trusts, or for any other purpose, may file with the Comptroller of the Currency a certified copy of a resolution of the board of directors signifying such desire. Upon receipt of such resolution, the Comptroller of the Currency, after notice has been given such bank has been relieved in accordance with State law all duties as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of lunatics or other fiduciary, under court, private, or other applicable provisions, or any State, or any other State or local surplus is sufficient under the circumstances of the trust oficer under a permit granted before the date of enactment of this Act by the Board of Governors of the Federal Reserve System, nor to affect the validity of any transactions entered into at any time by any national bank pursuant to such permit. On and after the date of enactment of this Act the exercise of fiduciary powers by national banks shall be subject to the provisions of this section, and the requirements of regulations issued by the Comptroller of the Currency pursuant to the provisions of this section.

Sec. 3. Subsection (k) of section 11 of the Federal Reserve Act (12 U.S.C. 246(b)(k) is repealed.

Sec. 4. Paragraph (2) of subsection (a) of section 584 of the Internal Revenue Code of 1954 is amended by inserting "or the Comptroller of the Currency pursuant to the provisions of this section, after "the Board of Governors of the Federal Reserve System". Title I of section 584 of the Internal Revenue Code of 1954 is amended by striking out "section 11(k) of the Federal Reserve Act (88

PLACING AUTHORITY OVER THE TRUST POWERS OF NATIONAL BANKS IN THE COMPTROLLER OF THE CURRENCY

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and pass the bill H.R. 11099—place authority over the trust powers of national banks in the Comptroller of the Currency.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Comptroller of the Currency is authorized and empowered to grant by special permit to national banks applying therefor, and whenever the laws of the State in which such bank is located, or local law, the right to act as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of lunatics, or in any other fiduciary capacity in which State banks, trust companies, or other corporations which are authorized by the law of the State in which such bank is located, are authorized to act, and the provisions of this section shall not be construed as authorizing the Comptroller of the Currency insofar as such reports relate to the trust department deposits of current funds plus to its immediate needs. The savings made by transferring personnel into these categories will take care of that.

(b) Whenever the laws of the State authorize or permit the exercise of any or all of the foregoing powers by State banks, national banks shall not be deemed to be in contravention of State or local law within the meaning of this Act.

(c) National banks exercising any or all of the powers mentioned in section 9(a) shall segregate all assets held in any fiduciary capacity from the general assets of the bank. Such segregations shall be shown on the books and records showing in proper detail all transactions engaged in under authority of this section. The State banking authorities may require a classification of the various securities, as he may deem necessary, be made pursuant thereto, (2) shall be entitled not to have returned to it any securities which it may have deposited with the State bank for the purposes of private or court trusts, or for any other purpose, may file with the Comptroller of the Currency a certified copy of a resolution of the board of directors signifying such desire. Upon receipt of such resolution, the Comptroller of the Currency, after notice has been given such bank has been relieved in accordance with State law all duties as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of lunatics or other fiduciary, under court, private, or other applicable provisions, or any State, or any other State or local surplus is sufficient under the circumstances of the trust officer under a permit granted before the date of enactment of this Act by the Board of Governors of the Federal Reserve System, nor to affect the validity of any transactions entered into at any time by any national bank pursuant to such permit. On and after the date of enactment of this Act the exercise of fiduciary powers by national banks shall be subject to the provisions of this section, and the requirements of regulations issued by the Comptroller of the Currency pursuant to the provisions of this section.

Sec. 3. Subsection (k) of section 11 of the Federal Reserve Act (12 U.S.C. 246(k) is repealed.

Sec. 4. Paragraph (2) of subsection (a) of section 584 of the Internal Revenue Code of 1954 is amended by inserting "or the Comptroller of the Currency pursuant to the provisions of this section, after "the Board of Governors of the Federal Reserve System". Title I of section 584 of the Internal Revenue Code of 1954 is amended by striking out "section 11(k) of the Federal Reserve Act (88
Board? 
The vote was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RETAIL OF BANK BRANCHES ON CONVERSION

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12899) to amend section 5155 of the Revised Statutes relating to bank branches which may be retained upon conversion or merger.

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 subsection (b) of section 5155 of the Revised Statutes, as amended (12 U.S.C. 36), is amended to read as follows:

"(b) A bank resulting from the conversion of a State bank may retain and operate as a branch any office which was a branch of the national bank immediately prior to conversion if the Comptroller of the Currency approves the continued operation as a branch of the resulting national bank;"

"(A) might be established under subsection (a) of this section as a new branch of the resulting national bank, and is approved by the Comptroller of the Currency for continued operation as a branch of the resulting national bank;"

"(B) was a branch of any bank on Februa­ry 28, 1927; or"

"(C) is approved by the Comptroller of the Currency for continued operation as a branch of the resulting national bank."

The Comptroller of the Currency may not grant approval under clause (C) of this paragraph if a State bank (in a situation identical to that of the national bank) resulting from the conversion of a national bank would be prohibited by the law of such State from retaining and operating as a branch an identically situated office which was a branch of the national bank immediately prior to conversion.

"(2) A national bank (referred to in this paragraph as the 'resulting bank'), resulting from the conversion of a national bank (referred to in this paragraph as the 'national bank') under whose charter the consolidation is effected with another bank or banks, may retain and operate as a branch any office which, immediately prior to such consolidation, was an operation of any branch of any other bank (other than the national bank) participating in the consolidation if, under subsection (a) of this section, it might be established as a new branch of the resulting bank, and if the Comptroller of the Currency approves the continued operation after the consolidation;

(A) a main office or branch office of any bank (other than the national bank) participating in the consolidation if, under subsection (a) of this section, it might be established as a new branch of the resulting bank, and if the Comptroller of the Currency approves the continued operation after the consolidation;

(B) a branch of any bank participating in the consolidation, and was an operation as a branch of any bank; or

(C) a branch of the national bank and which, on February 28, 1927, was in operation as a branch of any bank; or

The Comptroller of the Currency may not grant approval under clause (C) of this paragraph if a State bank (in a situation identical to that of the national bank) resulting from the conversion into a State bank of another bank or banks would be prohibited by the law of such State from retaining and operating as a branch an identically situated office which was a branch of the State bank immediately prior to consolidation.

"(3) As used in this subsection, the term "consolidation" includes a merger."

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. PATMAN. Mr. Speaker, this bill is endorsed by the Board of Governors of the Federal Reserve System, by the General Council of the Treasury Department, and by the Federal Deposit Insurance Corporation.

Mr. Speaker, I ask unanimous consent to insert in the Record at this point the letters which the committee has received from each of these departments.

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

There was no objection.

The letters referred to follow:

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

The Honorable Brent Spence,
Chairman, Committee on Banking and Cur­rency, House of Representatives, Wash­ington, D.C.

Dear Mr. Chairman: It is understood from counsel to your committee that you would like to have a report from the Board on the bill H.R. 12899, "To amend section 5155 of the Revised Statutes relating to bank branches which may be retained upon conversion or consolidation or merger."

This bill would facilitate retention of branches by a national bank resulting from conversion of a State bank or from the consolidation or merger with another national bank. Since the branches were not in operation on February 28, 1927, Considerations relating to appli­cations for branches in connection with con­solidations, consolidations, or mergers of the kinds described are necessarily included among those taken into account by the Comptroller of the Currency in acting upon any such conversion, consolidation, or merger. Therefore, the bill would permit avoidance of duplication of effort. It is noted that the bill would not permit the retention of branches in such situations if a State bank in a situation identical to that of the resulting national bank would be prohibited by the law of the State in question from retaining and operating as a branch an identically situated office.

The Board would have no objection to enactment of this bill.

Sincerely yours,

Wm. McC. Martin, Jr.

THE GENERAL COUNSEL
OF THE TREASURY.

The Honorable Brent Spence,
Chairman, Committee on Banking and Cur­rency, House of Representatives, Wash­ington, D.C.

Dear Mr. Chairman: Reference is made to your request for the views of this Depart­ment on H.R. 12899, "To amend section 5155 of the Revised Statutes relating to bank branches which may be retained upon conversion or consolidation or merger."

Under the provisions of section 5155 of the Revised Statutes, as amended (12 U.S.C. 36), upon the conversion of a State bank into a national bank, or the consolidation or merger of two or more national banks or of State and national banks resulting in a resulting bank, branches established since February 25, 1927, are required to be relinquished. H.R. 12899 amends this sec­tion to provide that branches subject to the approval of the Comptroller of the Currency, the converted bank, or the bank under whose control the consolidation or merger is being effected, may retain and operate all of the branches which it had in lawful operation at the time of conver­sion, consolidation or merger, if the law of the State would not prevent a resulting State bank identically situated, from retaining such branches.
The present law operates as a deterrent to State banks converting into national banks and is inconsistent with the well-established doctrine of the State banks not being permitted to convert freely into national banks and vice versa. Enactment of this legislation would not be detrimental to the State banking systems nor would it give to national banks any advantage over State banks in the matter of mergers and consolidations. Further, a bank which takes over by merger or consolidation a State or other national bank should not for that reason have to give up the branches which it has in operation at the time of the consolidation or merger. The purpose of the existing law is to prevent a bank from acquiring branches where they could not legally exist. It would not be detrimental to the banking systems if a bank could not legally exist under State law, by taking over other banks. This purpose does not exist in the case of branches of the continuing bank and there is no reason why a bank should not be permitted to continue in operation the legally established branches which it already has in existence.

H.R. 12899 has the same general objective as H.R. 12999 which incorporated a draft into the Budget submitted to the Congress by the Treasury Department. While the Department is of the opinion that the revisions made in the proposal it submitted are not necessary and may cause confusion, the Department nevertheless believes that the passage of H.R. 12899 is necessary to the proper functioning of the national banking system and urges its enactment.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this report to your committee.

Sincerely yours,

FRED B. SMITH,
Deputy General Counsel.

FEDERAL DEPOSIT INSURANCE CORPORATION,

HON. BERTY SPENCE,
Chairman, Committee on Banking and Currency, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: You have requested a statement of the Corporation's views in reference to H.R. 12899 which incorporated a draft 5155 of the Revised Statutes relating to branch banks which may be retained upon consolidation or merger.

This bill concerns itself with the retention of branches by the one resulting national bank of conversions or mergers, which branches were lawfully in operation by that one national bank in the case of conversions or consolidations or mergers, which branches the Corporation's views were not in operation on February 25, 1927, nevertheless believes that the passage of H.R. 12899 is necessary to the proper functioning of the national banking system and urges its enactment.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this report to your committee.

Sincerely yours,

ELIE COOKE, Jr.,
Chairman.

Mr. PATMAN. Mr. Speaker, this bill also passed the committee unanimously. I do not know of any objection to it. All of the agencies involved agree it is a good bill.

Mr. WIDNALL. Mr. Speaker, will the gentleman from Texas [Mr. PATMAN] explain what this bill proposes to do?

Mr. PATMAN. It allows the banks that merge to keep the branches which they had at the time of the merger. That is really the essence of it. It just retains the same branches.

Mr. WIDNALL. If the gentleman will yield further, the bill was reported out of the committee unanimously?

Mr. PATMAN. Yes.

Mr. WIDNALL. And all of the testimony was favorable to the bill?

Mr. PATMAN. There was no opposition to it.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. PATMAN], that the House suspend the rules and pass the bill (S. 3574) to extend the International Wheat Agreement Act of 1949.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, (1) That section 2 of the International Wheat Agreement Act of 1949, as amended, is further amended as follows:

(1) The first sentence is amended by striking out the language in the first parenthesis and all that follows in such sentence and inserting in lieu thereof the following: "signed by the United States and certain other countries revising and renewing such agreement for periods through July 31, 1965 (hereinafter collectively called the 'International Wheat Agreement')."

(2) There is inserted immediately before the last sentence the following new sentence: "Such net costs in connection with the International Wheat Agreement, 1962, shall be allocated by the President to all transactions which qualify as commercial purchases (as defined in such agreement) from the United States by importing countries, including transactions entered into prior to the date of enactment of acceptance or accession by any of the countries involved, if the loading period is not earlier than the date the agreement enters into force."

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. PATMAN. Mr. Speaker, this bill also passed the committee unanimously. The purpose of the bill is to extend for an additional 3 years the necessary implementing legislation to carry out U.S. participation in the International Wheat Agreement. This agreement was really signed in 1949 and has since been extended at 3-year intervals. The latest extension has been passed by the Senate on July 9, 1962, by a vote of 79 to 0.

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

Mr. PATMAN. I yield to the gentleman from New Jersey.

Mr. WIDNALL. There is no opposition so far as you know to the bill?

Mr. PATMAN. No.

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

Mr. PATMAN. I yield to the gentleman from Iowa.

Mr. CROSS. Does this bill have the approval of the European Economic Community, otherwise known as the Common Market?

Mr. PATMAN. We do not consult the Common Market about things like this.

Mr. CROSS. Perhaps the gentleman from Iowa could tell us what statement the State Department and everybody else does and acts accordingly. I just wondered if the gentleman had to go through the approval of the Common Market.

Mr. PATMAN. We do not feel obligated to confer with the Common Market.

Mr. WIDNALL. Mr. Speaker, the subcommittee and the full committee felt that this was very much in the best interests of the United States to continue with this agreement.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Recess.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, the following comments constitute background information pertinent to the consideration of a bill to extend the International Wheat Agreement Act of 1949, as amended, to implement U.S. membership for the ensuing 3 years in the 1962 International Wheat Agreement. The Senate approved the Senate's objectives in ratification of the agreement on July 9, 1962.

SCOPE OF WHEAT AND FLOUR TRADE INVOLVED

The rights and obligations under the agreement are of necessity restricted to commercial trade, inasmuch as exports under special Government programs, notably Public Law 480 and noncommercial barter—United States—and under the Colombo plan and export credits insurance—Canada—by their very nature have no inherent rights and obligations such as attach to trade under a multilateral agreement.

U.S. exports of wheat and flour for the crop year just ended June 30, 1963, are expected to total around 710 million
bushels. A preliminary estimate of the composition of this trade is as follows:

<table>
<thead>
<tr>
<th>Million</th>
<th>Country Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Commercial sales to IWA member importing countries</td>
</tr>
<tr>
<td>2.</td>
<td>Commercial sales to nonmember countries</td>
</tr>
<tr>
<td>3.</td>
<td>Sales to all countries under title I, Public Law 480</td>
</tr>
<tr>
<td>4.</td>
<td>Sales to all countries under title IV, Public Law 480</td>
</tr>
<tr>
<td>5.</td>
<td>Noncommercial sales to all countries</td>
</tr>
<tr>
<td>6.</td>
<td>Donations to all countries</td>
</tr>
</tbody>
</table>

Total exports: 710

Only the segment of trade in category No. 1 comes under the rights and obligations of the wheat agreement for the reasons mentioned above, and also inasmuch as trade so covered is restricted to exporting importing countries, the concept of the agreement being one of a multilateral contract between importing purchasers and exporting suppliers.

Under the 1962 agreement, and likewise under the proposed implementing legislation, "member importing countries" is intended to include importing countries with "provisional" membership. The 1962 agreement recognizes a provisional membership to accommodate those countries which participated in the negotiations but whose legislatures do not find it possible to ratify before the agreement comes into force. In such a case an interim instrument is deposited; that is, an intention to seek acceptance or accession in accordance with the country's constitutional procedures. This allows a country time to conclude those formalities, and the provisional membership expires upon deposit of the full instrument of acceptance or upon expiry of the period granted by the Wheat Council for its deposit, but in no case later than July 31, 1963. The agreement also recognizes the practical necessity for the concluding of export transactions in advance of shipment, and the inevitable circumstances that the wheat for loading during the crop year in the agreement will be made before some countries have been able to deposit instruments of acceptance or accession. Accordingly, the criterion for recording transactions under the agreement is not the time of consummation of the transaction, but is whether or not the loading period falls within the term of the agreement.

It is the intention that the reimbursement to the Commodity Credit Corporation which in the proposed legislation is authorized to be appropriated, should include net costs to the Corporation with respect to all transactions which qualify as commercial purchases—as defined in the agreement—from the United States but not to include provisional or nonmember importing countries, on the same basis recognized by the Wheat Council.

U.S. PROGRAM UNDER THE AGREEMENT

The Commodity Credit Corporation program which has been conducted pursuant to the 1962 International Wheat Agreement Act of 1949, as amended, enables commercial wheat exporters and millers to purchase wheat at domestic market prices and to sell the wheat, or wheat flour, for delivery to member importing countries at prices consistent with the agreement price range, in competition with other exporters in the world market. The program of gaining continuity with previous agreements is made in the form of a negotiable certificate which is redeemable only in wheat from Commodity Credit stocks at the domestic market price per bushel. This is approximately the low point for any annual average since the beginning of the agreements in 1949 except for 1953-54 when the average was 44 cents; the highest annual average was 79 in 1956-57; and the overall average since 1949 was 63½ cents. It is difficult to estimate the program costs during the life of the 1962 agreement due to the uncertainties inherent in two of the three principal determinative factors; namely, first, the volume of trade; second, the level of domestic market prices, whereas present conditions would indicate that the third factor—the export price—will to some extent decrease unit costs. The closest estimate possible at this time is 63 cents per bushel with a possibility of reaching 70 cents if domestic markets rise materially; or conversely, a lowering of the cost per bushel, should conditions lead to a domestic market decline.

The following information relating to the 1963 International Wheat Agreement is pertinent to the proposed implementing legislation:

PROSPECTIVE MEMBERSHIP

Forty-eight countries participated in the 1962 United Nations Negotiating Conference, but 7 of these were importing countries which did not subscribe a percentage obligation prior to the adjournment of the conference; consequently only 41 countries are inscribed in the agreement.

The membership status as of August 1, 1962, was as follows:

<table>
<thead>
<tr>
<th>Exports</th>
<th>Imports</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>12</td>
<td>16</td>
</tr>
<tr>
<td>2</td>
<td>10</td>
<td>12</td>
</tr>
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<td>7</td>
<td>4</td>
<td>11</td>
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<tr>
<td>4</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>10</td>
<td>1</td>
<td>11</td>
</tr>
<tr>
<td>31</td>
<td>41</td>
<td>72</td>
</tr>
</tbody>
</table>

Note.—The names of the countries in the foregoing categories are listed in "App. I: Exporting Countries," and "App. II: Importing Countries."
the crop-years 1959 to 1960 and 1960 to 1961, commercial purchases from all sources aggregated around 590 million bushels.

It is expected that the member importing countries will buy within the agreement a much greater proportion of their total commercial requirements than the 81 percent subscribed. Under the previous 1959 agreement, when the weighted average subscribed was 70 percent, the actual commercial purchases for the crop years 1959 to 1960 and 1960 to 1961 approximated 92½ percent.

The importer's obligation exists at the agreement minimum price and throughout the life of the agreement minimum price range. The right of the United States and other exporting countries is to sell this guaranteed percentage that the member importers purchase. This benefit is global in the sense that exporting countries compete with one another in selling importing countries their requirements.

**OBLIGATION OF EXPORTING COUNTRIES**

The obligation of exporting countries exists if the price reaches the agreement maximum. Then, they undertake to furnish any quantities not already purchased in that year, up to a moving average equal to importers' historical commercial purchases during a 4-year period. To purchase up to these quantities at the agreement maximum, before prices may go any higher, is the importing countries' right. The maximum obligation of the United States, at the maximum price, for the crop year 1961-62 was 163 million bushels. During the life of the 1962 agreement, the maximum obligation each year could be expected to continue at about this figure. Exporters' obligations are global in the sense that an exporting country may discharge its obligation by selling to any member importing country until the exporter's overall commitment has been fulfilled.

It is interesting to note that commercial sales by United States for the current 1961-62 season, of 164 million bushels, was the industrialized, commercial buyers which enabled the United States and other exporting countries to negotiate the price increase.

**APPLICATION**

The agreement is administered internationally by a Wheat Council composed of member countries of the agreement. Votes are divided equally between exporting countries and importing countries, with each group having 1,000 votes. The United States holds 290 of the 1,000 exporter votes in the Council.

The U.S. pro rata proportion of the cost of administration under the 1959 agreement averaged $22,500 annually, which is about one-sixtieth of a cent per bushel of wheat exported under the agreement.

### APPENDIX 1

<table>
<thead>
<tr>
<th>Exporting country</th>
<th>Member of 1959 agreement</th>
<th>Inscribed in 1962 agreement</th>
<th>Instrument of full membership deposited</th>
<th>Instrument of provisional membership deposited</th>
<th>Granted extensions for deposit of instrument of acceptance</th>
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**APPENDIX 2**

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<th>Importing country</th>
<th>Percent of commercial purchases pledged</th>
<th>Instrument of full membership deposited</th>
<th>Instrument of provisional membership deposited</th>
<th>Extensions granted</th>
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</tbody>
</table>

*Not member of 1959 agreement.*

Seven additional importing countries participated in the 1962 negotiating conference but did not specify a percentage undertaking and consequently were not inscribed in the agreement. Two of these countries—Finland and Greece—
applied to the International Wheat Council for accession after the agreement came into force on July 16, 1962. The applications were approved and the countries are now placing membership before their legislatures. The other five countries in this category may participate in the 1962 negotiating conference. One of these countries—El Salvador—applied for accession after the agreement came into force on July 16, 1962. The application was approved by the Wheat Council and the deposit of the instrument of accession is pending. The other eight countries in this category are Costa Rica, Guatemala, Haiti, Honduras, Iceland, Panama, Peru, and Sierra Leone. Sierra Leone has applied for accession but the Wheat Council has not yet had opportunity to act on it.

Of the 41 exporting and importing countries inscribed in the agreement, all but 4 have deposited instruments, either final or provisional, or have been granted extensions for deposit. The four which have not been granted extensions, have not applied therefore nor did they sign the agreement during the prescribed period. These countries are Ceylon, Iran, Abyssinia, and Poland. They are privileged to apply to the Wheat Council for accession under article 35(4) of the agreement which authorizes the Council by a vote of two-thirds of the exporting countries and two-thirds votes of importing countries to approve accession by the agreement which authorizes the Council for accession after the agreement came into force on July 16, 1962.

This is the bill which was brought up on the consent calendar, but objection was raised on the grounds that it referred to federally impacted areas where there are NASA installations. My amendment overcomes those objections by eliminating entirely any reference to federally impacted areas. Instead, the amendment which is at the desk in effect substitutes a population ceiling. Under this amendment, any community which has a NASA research or development installation would be eligible under the public facility loan program provided that its population does not exceed the limit that these loans can be made to any community with a population of 50,000 or less except that in depressed areas—those eligible for aid under the Area Redevelopment Act, 1955—this population ceiling, set at 150,000, the same that this bill would establish for communities with NASA installations.

Mr. Speaker, in my judgment, this is an extremely worthwhile piece of legislation. The creation of these space research centers has in most cases brought in a substantial number of new families to the area and often has placed great strain on existing community facilities. As a result of this population increase, these communities are forced to finance additional water and sewer facilities, streets, sidewalks, public buildings, and the like. Schools, of course, are not eligible under the community facility loan program and are not eligible under the bill now before the House.

Certainly we all recognize the vital importance of the space program and the need to take whatever steps are called for to keep that program moving at a rapid pace. One of these needs is adequate housing, which includes adequate community facilities for the people who work there. This bill will assure that financing on reasonable terms is available to help these communities provide the facilities needed.

Let me point out that the community facility loan program does not cost the taxpayer a single cent. The interest rate of these loans is set by a formula which takes into account the current rates at the Treasury and all costs of administering the program. At present the interest rate on these loans is 3½ percent. They can be used only if the community cannot sell its own tax-exempt securities at a rate which the investor finds reasonable rates. Currently, this means a 4 percent rate, and no community which can borrow on its own in the private market at 4 percent or less can obtain one of these loans.

At present there are NASA installations in 16 communities; 9 of these communities are already eligible under the public facility loan program because they are small towns of less than 50,000 population. At the other extreme, there are 3 communities in large cities which, because of their financial power, are able to say that this kind of backup financing should be made available to them. I urge all of my colleagues to support the bill.

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

Mr. RAINS. I yield to the gentleman from West Virginia.

Mr. BAILEY. Did I understand the distinguished gentleman from Alabama to say that this in no way affects Public Laws 815 and 874?

Mr. RAINS. Not at all. It has no connection with it. In the Senate they use the words "impacted areas," whereas in reality it is an amendment to the Community Facilities Act. It has no relation to the impacted area laws, either 815 or 874.

Mr. BAILEY. I thank the gentleman.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 3327, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ASSISTANCE FOR CERTAIN FEDERALLY IMPACTED AREAS

Mr. RAINS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3327) to make certain federally impacted areas eligible for assistance under the public facility loan program, with amendments, which I send to the Clerk's desk.

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 paragraph (2)(b) of the Rebalancing Amendments of 1955 is amended by inserting immediately after "Act" the following: " or in the case of community projects which is located a research or development installation of the National Aeronautics and Space Administration.""

The SPEAKER. Is a second demand?

Mr. WIDNALL. Mr. Speaker, on that I demand a second.
The SPEAKER. Do the gentleman from Ohio withdraw his point of order? Mr. HAYS I withdraw it, Mr. Speaker.

PADRE ISLAND NATIONAL SEASHORE

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the following communication from the Clerk of the House:

AUGUST 27, 1962.

The Honorable the Speaker, House of Representatives:

Sirs: I have the honor to transmit hereunder a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's office at 4:58 p.m. on August 24, 1962, and said to contain a veto message on H.R. 3372, "An act for the relief of Barbara W. Trousil, Edward G. Trousil, and Robert E. Trousil."

Respectfully yours,
RALPH R. ROBERTS
Clerk, U.S. House of Representatives.

BARBARA W. TROUSIL, EDWARD G. TROUSIL, AND ROBERT E. TROUSIL

The Chair laid before the House the following communication from the Clerk of the House:

AUGUST 27, 1962.

The Honorable the Speaker, House of Representatives:

Sirs: I have the honor to transmit hereunder a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's office at 4:58 p.m. on August 24, 1962, and said to contain a veto message on H.R. 3372, "An act for the relief of Barbara W. Trousil, Edward G. Trousil, and Robert E. Trousil."

Respectfully yours,
RALPH R. ROBERTS
Clerk, U.S. House of Representatives.

BARBARA W. TROUSIL, EDWARD G. TROUSIL, AND ROBERT E. TROUSIL—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOCS. NO. 533)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith, without my approval, H.R. 3372, "for the relief of Barbara W. Trousil, Edward G. Trousil, and Robert E. Trousil."

This bill would waive the applicable statute of limitations and permit Barbara W. Trousil, Edward G. Trousil, and Robert E. Trousil to file their claims under the Czechoslovakian claims program as a whole. Claims against the Czechoslovakian Government are required to be completed by the Foreign Claims Settlement Commission next month. It now appears that with awards aggregating over $300 million, compared with the $100 million available to pay them, claimants will be fortunate if they realize 10 cents on the dollar under the statutory payment scheme providing for full payment up to $1,000, with pro rata distribution thereafter.

It is obvious that any award to the beneficiaries of the present bill would reduce the extremely limited awards payable to claimants who filed their claims timely. In addition, the time required for presentation of the beneficiaries' case and adjudication of their claim would necessarily delay pro rata distribution to the more than 4,000 claimants, most of whom have already waited many years for compensation. Waiver of the statutory period in this case could also serve as an inducement to similar actions on behalf of other claimants, thus delaying still further the ultimate settlement date.

JOHN F. KENNEDY.

The White House, August 24, 1962.

Without objection, the bill and message are referred to the Committee on the Judiciary and ordered to be printed. There was no objection.

THIRD ANNUAL REPORT ON WEATHER MODIFICATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOCS. NO. 534)

The SPEAKER laid before the House the following message from the President of the United States which was read and ordered to be printed:

To the Congress of the United States:

I transmit herewith for the consideration of the Congress the Third Annual Report on Weather Modification (fiscal year 1961) as submitted by the Director of the National Science Foundation.

JOHN F. KENNEDY.


Mr. ASPINALL. Mr. Speaker, I withdraw the motion previously made.

REVISI NG THE BOUNDARIES OF THE VIRGIN ISLANDS NATIONAL PARK, ST. JOHN, V.I.

Mr. O'BRIEN of New York. Mr. Speaker, I move to suspend the rules and pass the bill to revise the boundaries of the Virgin Islands National Park, St. John, V.I., and for other purposes, with amendments.

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, in furtherance of the purposes of the Act of August 27, 1960 (70 Stat. 940) to establish a National Park in the Virgin Islands, and in order to preserve the extensive benefits of the public for the benefit of the public, it is hereby enacted, providing for the establishment of the Virgin Islands National Park, and in other purposes, with amendments. The Clerk read the bill, as follows:

NORTH OFFSHORE AREA

Beginning at the hereinafter lettered point A on the shore of Cruz Bay, a corner in the Virgin Islands National Park boundary, being also a corner of lot F, Cruz Bay, added to the said corner, and by order of designation of July 7, 1960, by the Assistant Secretary of the Interior pursuant to the Act of August 27, 1960 (70 Stat. 640), and published in the Federal Register of July 7, 1960, the said corner being the terminus of the course recited therein as "north 50 degrees 80 minutes west a distance of 200.0 feet, more or less, along Government land to a point;" for the third call in the hereinafter lettered points at geographic positions (latitudes north, longitudes west):

John F. Kennedy.
Thence running generally eastward along the present southerly park boundary as it follows the southerly shore of the island of St. John as delineated on the said drawing numbered NP-VL-7000 to point L, the point of beginning.

The area described contains approximately 1,550 acres.

Lands, submerged lands, and waters added, or the area described by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916, (39 Stat. 553; 16 U.S.C. 1-4) so amended and supplemented.

Said tract and all additions thereto are hereby authorized to acquire lands, waters, and interests therein by purchase, donation, with donated funds, or by condemnation of exchange.

Said acquisition is hereby authorized to be carried out as provided by the Act of June 10, 1953 (70 Stat. 164), as amended.

Said area described contains approximately 3,500 acres.

SOUTH OFFSHORE AREA

Beginning at the hereinafter lettered point L, a concrete bound post on the shore of Haulover Bay marking a corner of the Virgin Islands National Park as shown on the said drawing numbered NP-VL-7000 entitled "Acquisition Area Virgin Islands National Park," being also the northeasterly corner of parcel numbered 1, estate Concordia (A), as delineated on the Leo R. Sibly, civil engineer, drawing file numbered PW-195 dated October 26, 1960;

Thence running generally westward along the west boundary of the National Park northerly boundary as it follows the northerly shore of the island of St. John as shown on the said drawing numbered NP-VL-7000 entitled "Land Ownership Cruz Bay Creek" depicting the boundary adjustment affected by the said order of designation to point A, the point of beginning.

The area described contains approximately 4,100 acres.

SMALL HYDROELECTRIC POWER PROJECTS

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1606) to authorize the Federal Power Commission to exempt small hydroelectric projects from certain of the licensing provisions of the Federal Power Act.

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 subsections (b), (c), and (d) of section 10 of the Federal Power Act, as amended (76 U.S.C. 903(b), 903(e), 903(f)), is amended by striking out the words "one hundred horsepower" in each subsection and inserting in lieu thereof the words "two thousand horsepower.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may require to the gentleman from Washington (Mr. Westland).

Mr. WESTLAND. Mr. Speaker, I would not want this bill to go through without the House knowing what it is all about. The first thing that I ought to call to the attention of the House is that when this park on the island of St. John was originally established it was established on the basis that Mr. Rockefeller had an option on some 9,000 acres of land which was about three-quarters of the island, and that he was going to devote those 9,000 acres to the Federal Government, the Park Service, and make a park out of three-quarters of this island. Since then Mr. Rockefeller has apparently been able to acquire about 6,000 acres of the land and has put into a national park.

Many of us on the Interior Committee have been down and visited this beautiful island. This land acquisition has completely stultified any further development of that area. Most of us know that land values in the Virgin Islands have gone up tremendously as methods of transportation have improved. You can drive through a jet out of New York in a matter of 3 hours. Many of the people in the Caribbean area want to find a place to live there.

This bill says that inasmuch as Mr. Rockefeller has apparently been able to acquire these other 3,000 acres the Federal Government is going to do it through condemnation proceedings. The whole proposition was set up originally on the basis that the park would be a donation, that the land would be a donation. Now you are asked to appropriate funds for the purpose of buying these other 3,000 acres that Mr. Rockefeller apparently cannot afford to buy. If he cannot afford to buy them I do not believe the Federal Government can afford to buy them either.

I therefore, I think these 3,000 acres could better be used by people who want to go down there to live. I think—I am pretty certain of this—that the Legislature of the Virgin Islands has actually passed a resolution condemning Mr. Rockefeller for his attitude in trying to take over practically the whole of the island.

I would like to call to the attention of the House also another feature, and that is the matter of picking up 5,600 acres of underwater flora and fauna.

The report says:

The many varieties of reef fish and the spectacular marine flora would be in danger of depletion through uncontrolled spearfishing. Moreover, indiscriminate spearfishing is not only an efficient method of killing fish but it serves to install a permanent fear of swimmers into those fish that escape.

I would not want to instill a permanent fear of swimmers in fish. I think that would be a horrible thing to do; and so maybe we ought to acquire these 5,800 acres which are under water so that these fish will not have a fear complex of swimmers. Maybe that part of the bill is right, but I think the House should reject this proposition of acquiring these other 3,000 acres through condemnation proceeding when Mr. Rockefeller himself says he cannot afford to buy them.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 2439?

The question was taken; and on a division (demanded by Mr. Fulcom) there were—a yes, noes 50.

So (two-thirds not having voted in favor thereof), the motion was rejected.
The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, the purpose of S. 1606 is to increase from 100 to 2,000 horsepower the size of small hydroelectric projects which may be exempted from certain of the licensing provisions of the Federal Power Act.

The original Federal Water Power Act in 1920 created the Commission for the purpose of licensing hydroelectric developments on the waters of the United States over which the Congress has jurisdiction. That act recognized, and its major revision in 1935, the Federal Power Act, continued to recognize, that all of the requirements for licensing a large hydroelectric project were not necessary for small projects. The Commission was given authority in section 10(d) of the act to waive approval of plans for projects of not more than 100 horsepower except the 50-year license period and annual charges for the use of Indian tribal lands. In section 10(f) to waive approval of plans for changes in a project of not more than 100 horsepower, and in section 16(e) to waive annual charges for such projects except those on Indian tribal lands. The bill simply would raise this discretionary dividing line from 100 to 2,000 horsepower.

As stated by the Commission, some of the conditions, requirements that it now may waive for projects not more than 100 horsepower and that it would be authorized by the bill to waive for projects of not more than 2,000 horsepower are those relating to the original cost of the project, the annual charges, the establishment of amortization reserves and depreciation reserves, and other accounting matters which are deemed unnecessary for these small plants, expensive for the licensees to comply with, and expensive for the Commission to administer.

One of the subjects which the Federal Power Commission is required to consider in the issuing of a project license is that of fish and wildlife resources.

Section 16 of the Federal Power Act reads:

The Commission shall require the construction, maintenance, and operation by a licensee of fishways as may be prescribed by the Secretary of Commerce [now Interior].

In connection with concern expressed at the hearing by some of the members relative to this subject, Chairman Swidler will give specific assurance that while the Commission might waive some provisions and not waive others, it was not the Commission's intention to waive the requirements with respect to protection of fish resources at these projects.

Section 2 of the Fish and Wildlife Coordination Act (18 U.S.C. 662) also imposes certain duties upon all Federal agencies, and upon all licensees, to consult with the Fish and Wildlife Service and with appropriate State agencies with respect to the conservation and improvement of wildlife resources in connection with water resources development. In response to this point, Mr. Chairman, Swidler stated that this bill would not change the responsibility of the Commission to confer with the Department or the heads of the State agencies.

In view of these assurances the Department of the Interior has no objection to the enactment of the legislation.

The Committee on Interstate and Foreign Commerce urges the passage of the bill.

Mr. Speaker, this is a very satisfactory proposal and is offered at the request of the Federal Power Commission to help expedite the business of the Commission in relation to very small hydro projects. Not only that, but it relieves certain administrative difficulties in problems with the operators of these very small hydro projects.

In the early days of the twentieth century, when the Federal Water Power Act was enacted into law, there was included administrative provisions of the act a provision relating to small hydro projects up to 100 horsepower. This provision—it is permissive—would extend to the Federal Power Commission a discretion as to whether or not it could exempt or would exempt hydro projects from the usual provisions of the act up to 2,000 horsepower. That is simply the purpose of it, and that is all it does.

The committee conducted hearings, and this bill was voted out of the committee unanimously. I believe it is a desirable piece of legislation, and would be in the public interest.

Mr. SCHENCK. Mr. Speaker, I yield such time as he may desire to the gentleman from Iowa (Mr. JENSEN).

Mr. JENSEN. Mr. Speaker, I merely want to point out that, in my judgment—and I know a little about the workings of the Federal Power Commission—this is not good legislation. I am not saying that they would take advantage of the new authority which they would receive under legislation of this nature. But I believe that the Federal Power Commission could penalize people they do not like and favor people they do like in the electric power industry.

I do not believe that the 30-minute hearings held before the committee is sufficient time for any member of the committee to determine the value of such legislation, especially under suspension of the rules.

I would hope that this bill could be laid over until the committee would have sufficient time to look into a number of matters which I think should be looked into. I am sure that the gentleman will agree that the Federal Power Commission does exercise great authority over all types of electric power, both Federal and private, and to give to them this added power under a suspension of the rules, I hope, does not appeal to the gentleman.

Mr. HARRIS. I would say to the gentleman that I certainly do appreciate the gentleman's interest. I know of the gentleman's continuing interest in matters of this kind. I will say, however, the committee conducted hearings and went into the desirability of this particular proposal—the discretion that would be given to the House, if this were to become a law. I would hope that the House would favorably consider this legislation.

Mr. JENSEN. And the next request will be to handle all hydroelectric applications in the same manner.

Will the gentleman agree that the committee only held 30 minutes of hearings? I have been told by members of the committee that that is a fact.

Mr. HARRIS. We heard the Chairman of the Federal Power Commission on it. So far as we were able to ascertain, there was no one else who wanted to be heard, because it was explained to be a relatively small matter.

The gentleman made one comment that would cause me some concern, and that was the comment with reference to the special or the preferential treatment which the Commission might give in the administration of this provision. If that were to happen, I can say to the gentleman from Iowa (Mr. JENSEN), I shall be the first one to go into it with the Federal Power Commission on why such preferential treatment were given.

Mr. JENSEN. But in regard to that, the gentleman will be too late. The horse will be stolen before you shut the barn door. The gentleman realizes that, does he not? I have the greatest regard for the gentleman.

Mr. HARRIS. I appreciate that and the feeling is mutual. If we had any idea or any reports at all that such would be the case, then I am sure it would have been explored thoroughly. But here we are trying to say—

Mr. JENSEN. Who knew? Did the gentleman or his committee inform any Member of the House that hearings were going to be held on a bill of this nature? I certainly did not know anything about it.

Mr. HARRIS. We announced the hearings as we do all of our hearings, and it is on the hearing calendar.

Mr. JENSEN. Well, I will say to my good friend and colleague the gentleman from Arkansas (Mr. Harris) that this bill is too far reaching in its significance.
It today under a suspension of the rules, especially since no one, to my knowledge, appeared before the committee in opposition to the bill. I am sure if those who have appeared in this country, had known about it, they would have appeared in opposition to this kind of legislation.

Mr. HARRIS. I will say to the gentleman from Iowa [Mr. Jensen] I regret exceedingly that there seems to be any opposition at all. The Department of the Interior supports it in addition to the Federal Power Commission. The Bureau of the Budget has submitted its report, and we thought it was a method of doing something for the small private licensee.

I really believe that it is something which would be desirable when it is thought through and when one sees what it is. The committee, at least, thought so.

We have had no expression of any opposition since the day that the bill was reported which was August 16. As the gentleman knows, the other body passed the bill and the opposition to the committee would have been among the first to hear of it. We have not had one single objection to it since it was reported.

Mr. JENSEN. The gentleman knows that there is no Member of the House or the Senate who can possibly follow, understand, or have knowledge of every bill that this Congress considers, or that is introduced. They run into the thousands.

Mr. HARRIS. I thoroughly agree with the gentleman. If my attention is ever called to any objection by any Member of Congress I do my best, as chair of the committee, to give opportunity to those who have objections to register them or state their position.

Mr. BAILEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman yield for a parliamentary inquiry?

Mr. BAILEY. I yield. Mr. BAILEY. Mr. Speaker, I would like to inquire who has the floor at the present time.

Mr. HARRIS. I have charge of the time.

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

Mr. HARRIS. I yield.

Mr. BAILEY. Since the Federal Power Commission over the last 5 years has authorized certificates of convenience to five Canadian and two Mexican corporations to pipe natural gas into this country from the free list, I am of the opinion that the Federal Power Commission has too much authority right now and I am not in favor of giving it any more.

Mr. HARRIS. Mr. Speaker, I will say to the gentleman that this does not extend additional authority to the Federal Power Commission. It adjusts the size of hydroelectric projects which have been exempted by law heretofore, to give the Commission discretion on the question whether or not these small 1,600 kilowatt operating plants would be exempt from certain requirements in the Federal Power Act in respect to the construction of fishways, preservation of fish and wildlife values, and a number of other things of which I think the gentleman is well aware.

There is language in the report that states that fish and wildlife values will not be waived under the provisions of this act and the chairman has since the writing of the report also received a communication from the Power Commission stating that requirements which would be necessary to protect fish and wildlife values, including the construction of fishways, would not be waived under the provisions of the bill now before us, S. 1606.

The legislation is clear that there is no such purpose for the essential wildlife values which the FPC must continue to protect.

Mr. HARRIS. The gentleman is correct.

Mr. Speaker, I ask unanimous consent that that letter from the Power Commission be included at this point in the Record.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The letter referred to follows:

CONGRESSIONAL RECORD—HOUSE

WASHINGTON, D.C.

DEAR MR. CHAIRMAN: This letter is to advise you of the Commission's position with respect to the proposal to amend S. 1606 to prohibit the Commission from waiving under section 10(i) of the Federal Power Act "any requirement under section 18 of this act which relates to the construction, maintenance, and operation of fishways." As you know, S. 1606 has the full support of the Commission; it would raise enormous problems and would damage the capacity of hydroelectric projects which could be processed under section 10(i), thus saving time and expense in most cases in that class. Without in any way sacrificing the control of the Commission over power developments which utilize the water resources of the Nation.

After a full discussion of the proposal to amend S. 1606, the Commission has decided that it should oppose the amendment. The principal basis for the Commission's objection is that the proposal seems to assume that, in the absence of its inclusion, the Commission would fail to give adequate consideration to the impact of the proposed construction of a project upon the fish resources of the Nation. There is no basis for such an assumption. As I testified at the subcommittee hearing, the Commission consults with the Department of Interior and State agencies on fishery matters in all license cases, including those coming within the existing waiver provisions of section 10(i) of the act, and the Commission does not intend to waive the "requirements with respect to protection of fish resources at these [minor] projects." Of course, the amendment to that bill would in any way affect the provisions of section 2 of the Coordination Act which provides for Commission to consult with the U.S. Fish and Wildlife Service and the State conservation agencies in
any license case involving the impoundment or diversion of a stream. The Coordination Act and other provisions of the Power Act (e.g., section 16(a)) have resulted in comprehensive requirements for the construction of facilities and control of operations to protect fisheries interests which are more extensive than the requirements concerning "fishways" to which section 18 of the Power Act specifically and solely refers.

The amendment unnecessarily singles out for special treatment just one of the many important provisions of the act that the Commission considers in every license case, even though it already has authority to waive that requirement under the present provisions of section 18(1). In the absence of any showing that the Commission has abused its powers under its existing authority, the even sentiment that the bill was introduced and passed because of a correction suggested by the proposed amendment might have the effect of raising new questions as to the proper interpretation of the act, thus increasing the difficulties of administration or resulting in unnecessary litigation.

Sincerely yours,

JOSEPH C. SWITZER,
Chairman.

THE SPEAKER. The question is, Will the House suspend the rules and pass the bill? Mr. HAYS. The question was taken; and on a division (demanded by Mr. JENSEN), there were—aye 107, noes 20.

So the rule was suspended and the bill was passed.

A motion to reconsider was laid on the table.

REERRERAR OF S. 3389

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the bill (S. 3389) which is to promote the foreign commerce of the United States through the use of local trade fairs be referred to the Committee on Merchant Marine and Fisheries.

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

There was no objection.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District Day. The Chair recognizes the gentleman from Texas (Mr. Dowdy).

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 12467) to amend the act of June 4, 1948, as it relates to the appointment of the District of Columbia Armory Board and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

The SPEAKER. Does the gentleman from Ohio withdraw the point of order that a quorum is not present?

Mr. DOWDY. Yes, Mr. Speaker, I will withdraw the request, but I have some other bills to call up.

Mr. HAYS. Then I will just make a point of order.

Mr. DOWDY. This is District business.

Mr. HAYS. I will make a point of order.

The SPEAKER. Does the gentleman from Ohio withdraw the point of order that a quorum is not present?

Mr. HAYS. Yes, Mr. Speaker, I withdraw the point of order of no quorum—for the time being.

THE LATE HONORABLE JOSEPH LUTHER SMITH

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. BAILEY. Mr. Speaker, it is my sad duty to inform the House of the death, last week, of the Honorable Joseph Luther Smith, of Beckley, W.Va., for 18 years a Member of this body.

Joe L. Smith, as he was known, was born in Marshall County, W.Va., December 29, 1880. He attended public and private schools. Starting to work on the Raleigh Register as a "printer's devil," he later owned the publication, and served as editor and manager until 1911. He also engaged in the real estate and banking business.

He entered public life and served as mayor of Beckley for 28 years. He was a member of the State senate. In 1928 he was elected to the 71st Congress, and served with distinction for 8 terms. He was not a candidate for reelection in 1944.

While it was not my privilege to serve with Joe Smith, our paths crossed many times, and I knew and admired him.

Members who served with him will be interested to know that his son, Hulett, serves West Virginia as Commissioner of Commerce.

I extend my deepest sympathy to Mrs. Smith and her children.

Mr. Speaker, at this time I would like to ask on behalf of my colleagues, the gentleman from West Virginia (Mr. SLACK), permission to insert his remarks at this point in the Record.

Mr. Speaker, at this time I would like to ask on behalf of my colleagues, the gentleman from West Virginia (Mr. SLACK), permission to insert his remarks at this point in the Record.

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

There was no objection.

PERSONAL STATEMENT

Mr. FOUNTAIN. Mr. Speaker, I was unable to be present when H.R. 12628, the housing bill for the elderly, passed the House today under suspension. I would like to be on record as asking that had I been present I would have voted "yea."

THE SECRETARY OF THE INTERIOR AND THE ELECTRIC POWER INDUSTRY IN THE UNITED STATES

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that all members of the delegation from West Virginia and other friends of Joe L. Smith be permitted 5 days within which to extend their remarks in the Record on the life, character, and public service of our former colleague.

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

There was no objection.
Please note, Mr. Secretary of the Interior, that each and every one of these 10 most efficient steam electric generating plants is being powered by investor-owned electric companies operating within the framework of free competitive enterprise, while paying full taxes to the Federal State and local governments, utilizing their money in the open market at the going rate of interest. I think it would be safe to say that the Secretary of the Interior has probably not visited and studied a single one of the plants. Nevertheless, he now finds it necessary to take a junket to Russia to study their plants.

A previous news item pointed out that the purpose of the trip is to "study Soviet technological advances in power production and particularly transmission of large blocks of power over great distances."

It is not difficult to understand why this important spokesman for the administration on Federal power activities wants to study the Russian government monopoly. Power is one of the most important industries controlled by the government and is a totally controlled and less efficient electric power system.

However, it should be noted that if the Secretary of the Interior wants a better knowledge of the operation of a truly magnificent and efficient electrical power supply system, he better look in his own backyard, rather than spending the taxpayers' money to go halfway around the world—even though it is approaching vacation time.

I wonder if the distinguished Secretary has taken the time to visit any one of the world's most efficient steam electric generating plants, because each and every one of them is located right here in the United States. Most efficient generating plants in Russia would not even make the top 10 in the United States.

According to statistics from the Federal Power Commission, these 10 most efficient plants are:

First, Clinch River: Owned and operated by the Appalachian Power Co., with a net heat rate of 8,975 British thermal units per kilowatt-hour.

Second, Dickerson Plant: Right out here in Maryland, and owned by the Potomac Electric Power Co., with a net heat rate of 9,014 British thermal units per kilowatt-hour.

Third, Kanawha: Also owned by the Appalachian Power Co.


Fifth, Pedernales: Owned by Indiana-Kentucky Electric Corp.

Sixth, Eddystone plant of the Philadelphia Electric Co.


Eighth, Muskingum River plant of Ohio Power Co.

Ninth, Camer Plant of the Ohio Power Co.

Tenth, Tannar's Creek of the Indiana and Michigan Electric Co.

That an industry which produces over 5,000 kilowatt hours per capita is far better for us than the Russian system, which produces less than 1,400 kilowatt hours per capita.

I think we would all be better off if the Secretary of the Interior and these other Federal officials would take some good advice, and "See America First," rather than going over to Russia to learn some new way to federalize the world's greatest and most efficient electric supply system.

LYNDON JOHNSON, OF STONEWALL, TEX.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the Record.

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

There was no objection.

Mr. GONZALEZ. Mr. Speaker, on August 21, 1908, there was born on a farm near Stonewall, Tex., the man who today serves as Vice President of the United States.

Stonewall is a small town on a beautiful river, a bottom river called the Pedernales, which in Spanish means "flint rocks." "Stonewall" and "Pedernales" are colorful names and they tell something of the rugged beauty of a pleasant part of Texas. They tell something, too, of Samuel Ealy and Rebekah Baines Johnson, the parents of our Vice President, who must have given their son much of the hardiness, stamina, and sheer love of the land for which he is so well known.

Mr. Speaker, no one can know the extent to which Lyndon Johnson possesses these qualities until they have seen him in his native setting. Our Vice President is known for many great and significant contributions in this Nation, but even all of these can be placed aside and our measure of this man can be seen from other worthy, but less-known attributes.

I see our Vice President as a true product of the hill country of Texas. I see his love of the land in the way he matched his family out of the death-dealing Pedernales when roaring at full flood; I see his derring-do in crossing that same river in a beat-up jalopy along a low water dam—just out of zest to get home the quickest possible way; I see his attachment to his roots and to the heritage of his people when he pauses at the old ponderosa, recites a silent prayer, and bends down the river from his house; I see his love of the land as he drives at sundown to flush out and count the deer, or watch a jackrabbit or a dove in the neighborhood of the man as he talks to and about those who adjorn his home; I see his pride turned away from self and vested in the condition of the coastal plain, for I see him in a race, or the sleekness of a prize bull; I see him dismissing his own legislative accomplishments and inquiring only if the beef he has raised or the sausage he has ground meets one's fancy, and I see our Vice President relaxed and at one with the
hill country of which he is a part. As we say, he is fully "simpatico" with it.

These are worthy qualities in a man, for they bespeak something about how genuinely he is, and I value them in our Vice President as I would value them in any man. I believe that a man should have pride in what he is and what he does, and I, for one, rejoice that Lyndon Johnson has them and is at one with Stonewall and the Pedernales.

How typical it is that today while we note this additional milestone in his life, our Vice President is in some foreign corner of the world serving as our good will ambassador among people who may have a dim understanding of all our purposes but cannot mistake the firm hand and steady eye of one who is at home on all the rocky rivers of the world. I wish him well. He is a great parliamentary leader and brings credit to us and to our land.

NAJEEB HALABY'S VISIT TO SAN ANTONIO, TEX.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. Gonzalez. Mr. Speaker, in earlier remarks to this House I stated that I was curious to know what motivation compelled Mr. Najeeb Halaby, Administrator of the Federal Aviation Agency, to make a personal attack on me in my hometown.

Several Members of the House have asked me about this statement, and in response to their queries I wish today to put in the Record Mr. Halaby's personal attack on me while visiting in San Antonio. The incident occurred on May 18, 1962, almost a month before I appeared before the Subcommittee on Independent Offices to protest what Mr. Halaby proposed to do in moving the San Antonio ARTC Center to Houston.

It occurred before I made any statements or inquiries about his personal conduct of his office.

I insert this information just as it appeared in the San Antonio News as written by the able columnist, Mr. Paul Thompson, on May 19, 1962:

(By Paul Thompson)

Najeeb E. Halaby, the Federal Aviation Administrator, was anything but a diplomat while visiting San Antonio yesterday. He managed to alienate some of the town's leading citizens, including the mayor and chamber of commerce president, and he flatly refused to give pertinent information on why the 280-job air traffic control center will be shifted from here to Houston.

Most of those who tried to reason with Halaby at International Airport were astounded that he felt it advisable to behave with even rudimentary courtesy.

DIFFIDENT

Local officials would never have known of this by the normal way. Congressman Henry Gonzalez didn't tip them beforehand.

Men like Mayor McAllister, Mayor Pro Tempore Walter Gunstream, Chamber of Commerce President J. G. Gaines, Banker Tom Frost, Jr., Bill Pope, and Melvin Sisk went to the airport to meet him.

Halaby not only refused to want to talk to anybody, according to Sisk.

STARTS HERE

The control center went into a new building behind Squirrel's on Broadway nearly 3 years ago.

This same FAA authorized a 10-year lease of the building on grounds it should function in San Antonio.

Just recently the FAA announced that the center would move to Houston, along with the one now operating in New Orleans.

The reason given were economy and safety.

ERROR

Mayor McAllister and the others hoped to discover why Halaby reasoned that moving the control center to Houston would affect economy or promote safety.

The visitor never did come up with an explanation.

Instead, he crossed verbal swords with the mayor, Frost, Sisk, Gaines, et al. "His attitude," declared Sisk, "seemed to be that he had made a decision and no one should bother him about it."

OBSERVATIONS

Sisk pointed out that Houston is the only city in the country where a new building will go up to house control centers for other cities.

"Taxpayers will have to pay 10 years rent on the present building here, and the building in New Orleans must be vacated. I don't see how that, plus putting another structure in Houston, adds up to economy," he said, adding:

"As for safety, there are more flights here than in Houston, taking military planes into account."

LETTER

Congressman Gonzalez wrote Halaby a letter April 12 asking for a full explanation of the forthcoming shift. He got no answers. The Administrator said yesterday that Halaby will be answered, though he did not say what was taking him so long.

He took occasion to compare himself as a "freshman who is acting like a freshman."

DEBATES

In general, Halaby was high-handed, disrespectful, arrogant, and uncooperative. At one point he accused Halaby of squabbling "between Texas cow towns."

Those who went out to see him certainly saw a man's tomb would indicate that America has not forgotten President Wilson's willingness to pay dollars, the plan still holds.

We are certain that the Polish people will one day throw off the yoke of Communist oppression, for the desire for freedom burns as brightly as ever in the Polish soul. But until such time is it right that the grave of this great artist and statesman remains anonymous? Should we not somehow show our affection and respect our Nation feels toward this great artist and public servant? Could we not set up some reminder that we are holding his remains in trust until his own country has achieved the goals he worked so hard for during his lifetime? I submit that we can. A simple identifying marker on his tomb would indicate that America has not forgotten Paderewski.

It would serve as a token of our continuous respect and affection for him and would remind the world of our temporary trust.

In this capacity he established branches in London and Paris and then went to the United States where in the next few years championing the Polish cause recruiting and organizing a hundred thousand Polish independence fighters. After the armistice was reached he returned to Warsaw where he succeeded in forming a coalition ministry of which he became Prime Minister and Minister of Foreign Affairs. He regularized the international position of Poland by ob-
taining recognition from the various powers. He suppressed the military groups which hindered national unity, and he obtained authorization from the Diet to declare war on the national army. Paderewski was Poland's first delegate to the Paris Peace Conference in 1919, and thus he also played a role in the settlement of European affairs.

The partition of the independent Poland which was his goal he resigned from office in 1919 to resume his musical career, and again he met worldwide acclaim. His efforts were offset by the Red Army's invasion of Poland in 1939, however. Paderewski was once again recalled from his career to serve his country, and once again he responded unselfishly. He immediately began raising funds for the defense of Poland, and he contributed substantially to this financial cause himself. In 1940 he accepted the presidency of the Polish Parliament in Exile, and this example and this inspiration to the Polish people of how the individual can contribute to his country through undying faith in human freedom and through active dedication to achieving this goal. He saw his country become free at the end of the First World War only to be enslaved again two decades later. May his spirit once again see a free Poland emerge from Communist oppression. The indomitable spirit of his people, the Poles, we know, will not be subdued by totalitarianism. The remains of Ignace Jan Paderewski will one day be returned to him, in a simple and an inspiration to the Polish people of how the individual can contribute to his country through undying faith in human freedom and through active dedication to achieving this goal. He saw his country become free at the end of the First World War only to be enslaved again two decades later. May his spirit once again see a free Poland emerge from Communist oppression.

America and Poland both mourned his death, for his life was a continuing inspiration to all who knew of him. His unswerving devotion to human freedom and his indefatigable efforts for his country are unsurpassed. He serves as an example and an inspiration to the Polish people of how the individual can contribute to his country through undying faith in human freedom and through active dedication to achieving this goal. He saw his country become free at the end of the First World War only to be enslaved again two decades later. May his spirit once again see a free Poland emerge from Communist oppression. The indomitable spirit of his people, the Poles, we know, will not be subdued by totalitarianism. The remains of Ignace Jan Paderewski will one day be returned to him, in a simple and an inspiration to the Polish people of how the individual can contribute to his country through undying faith in human freedom and through active dedication to achieving this goal. He saw his country become free at the end of the First World War only to be enslaved again two decades later. May his spirit once again see a free Poland emerge from Communist oppression. The indomitable spirit of his people, the Poles, we know, will not be subdued by totalitarianism. The remains of Ignace Jan Paderewski will one day be returned to him, in a simple and an inspiration to the Polish people of how the individual can contribute to his country through undying faith in human freedom and through active dedication to achieving this goal. He saw his country become free at the end of the First World War only to be enslaved again two decades later. May his spirit once again see a free Poland emerge from Communist oppression.

I have discussed this matter with the
in unanimously consent that the gentleman Mr. ALBERT. Mr. Speaker, the House will soon be called upon to express its approval of the Public Works Acceleration Act, on which a rule was granted last week. This measure is the outgrowth of a proposal by the President when a bill was transmitted to the Congress in February.

The original proposal by the President was made on the basis of a conviction that our economic growth process could be made much smoother if the Congress were to authorize a standby program of public works construction. It was an antirecession proposition primarily, with $2 billion worth of public works activity to be generated as soon as time might be considered desirable when various economic indicators began to record declines.

This proposal has pretty well proven that there is an unavoidable time lag between the congressional adoption of antirecession measures and their implementation, and as such it has exposed business decline which fosters employee layoffs. The elimination of this time lag was one of the major objectives of the bill as originally conceived.

The proposal was adopted up by the Senate, and after due committee consideration a bill was reported and passed on May 28 by that body. The Senate bill provided $2 billion in standby public works authority, to become operative when a sharp rise in unemployment was recorded and it became apparent that unusual action would be required to reverse an economic decline.

The Senate added another feature, however, in the form of immediate authorization of a $600 million public works program to be initiated in those areas which did not entirely share in the recovery from the last recession. This provision brought to the bill some of the characteristics of a limited Area Redevelopment Act.

Four months ago the House Committee on Public Works began consideration of the proposal. Even before the first hearings were scheduled, prominent members of the minority were widely quoted to the effect that they would oppose, unalterably and forever, the granting of standby public works authority to the President, and would insist that all such authority continue to rest with the Congress.

Their views were influential, inasmuch as the House Committee on Public Works reported out a bill, H.R. 10113, which contained no standby authority whatsoever, but simply authorizes appropriations of $900 million to accelerate construction of Federal, State, and local public works immediately, and stipulates that the projects must be located in areas eligible for aid under the Area Redevelopment Act, or which have had substantial unemployment during the past year.

The original purpose of the proposal—that of an antirecession tool—has
been lost completely, and the connection between massive public works programs and the ebb and flow of our business cycle has become wholly obscured.

Most recently, in the weeks since H.R. 10113 was reported out, we have been treated to a wave of oratory which expresses a solemn conviction that now the House should defeat the bill, because it has an antirecession value; it is simply a huge public works pork barrel which will be exploited by the present administration for partisan purposes. Those most vigorous and most active in deploring the loss of the principle and demanding defeat of the bill.

The Public Works Acceleration Act appears to have become part of a foolish and dangerous game of Russian roulette which some of my colleagues like to play with our economy. In the wider ranges of that game, they calculate the effects of a recession on the next Presidential election. In the middle ranges they broadcast publicly how many congressional seats the minority will gain at the election of November. Now, we must guard against the false conclusion that every public works proposal may or may not do something towards improving our facilities, or that any new public employment will establish a businesslike, efficient, and durable public employment program which the public can look up to as a result of the Federal aid highway program.

Before we allow ourselves to be side-tracked by the propaganda of the way we will inflict defeats on Presidential proposals, it would be well for us to review some established trends recently published by the Bureau of Labor Statistics, trends which are disquieting and are not subject to partisan manipulation:

First. During the next 10 years there will be gains in output per man-hour in every major industrial group which will tend to decrease in employment of about 100,000 workers per year. This total is in addition to total worker losses which will be recorded in other industries where total output will decline or remain relatively stable.

Second. There will be 1 million net additions—new workers—to the labor force each year during the next decade. These workers, if productive, will increase 3 percent per year, then our gross national product would need to increase at a rate sufficient to provide workers with enough through capital expansion, just to retain the same level of employment we have today.

In the face of this knowledge, the standby public works proposal offers us a clear choice between two roads we can follow:

First. We can do nothing to recognize the situation and can oppose the public works program. This simply means that when the economy begins to slow down, and we will inevitably introduce some hasty makeshift public employment program later when there is a business downturn, or perhaps only when the working force begins to far exceed the job opportunities.

Second. We can take a stand for a deliberately programmed public works effort, sanctioned and engineered in advance of the day of its need, but only implemented now to a limited extent.

Recent history has demonstrated that without strong urgings—tax adjustments, tariff and trade changes, and the like—our business community will not expand rapidly enough to provide job opportunities for the new entrants into the labor force plus those displaced by automation. This is not necessarily a weakness in our system.

We all want to maintain a vigorous enterprise society characterized by great flexibility and a capacity to grow in any direction at any time or in all directions simultaneously, as dictated by demand. We want that society to be responsive to the domestic economy's underlying advance. We must realize that a necessary part of this process is the periodic temporary dislocation of employment opportunity caused by the diversion of energy and capital investment into newly developed fields of production.

The role of programed capital public works in this context is one whereby we raise our standard of living and increase the facilities of our communities so that we help open new areas attractive to entrepreneurial risk.

Within the traditional American approach to economics it would be no more possible to stabilize our economy completely than it would be to stabilize a bowl of mercury. We must, in fact, avoid any Government action which interferes sharply with the decision-making processes in industry and agriculture. The stabilization process produced famine and tragedy in China recently, and after 45 years in the Soviet Union it has produced an economically backward nation, far less developed than the European countries, and attempting to hide behind flashy space exploits which produce absolutely nothing for the Soviet people.

The choice then seems quite clear: Either public works programs and pursued in a businesslike, efficient fashion during the lulls in our economic expansion, or an endless series of hasty and expensive efforts to provide subsistence for those affected whenever we encounter a downward business spiral.

It is a situation we must grapple with to stabilize our economy and well-positioned to take proper action now.

NATE GROSS, THE MAN WITH A FRIENDLY SOUL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. LIBONATI] may extend his remarks at this point in the Record.

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

There was no objection.

Mr. LIBONATI. Mr. Speaker, the paragraph given to many great literary of the written word—men who penned their impressions of the lives of individuals, importance of events, and controversial events, including the vividness and clarity comparable to the master strokes of a painter's brush. The unique style of the individual writer and his analytical perception gained for him public notice and individual acclaim.

Such a columnist was the late Nate Gross of the Chicago American, born in Chicago on the Northwest Side, educated at the University of Illinois, and throughout his entire career, never wrote a damaging line about anyone.
Nate entered the newspaper field in 1929 after his graduation from Chicago Law School. He covered police courts as a reporter “on the beat” for the Associated Press and Times. Later he joined the staff of the Chicago American in 1933 and was assigned to the Criminal Courts Building.

It is said that everyone’s personality is subjected to and influenced by the company he keeps. Nate was no exception and Nate believed this to be true. He said that the hundreds of unfortunates of the common run of offenders brought into the municipal courts were a social study in human psychology.

He was a kindly, considerate, and friendly man to begin with—and so these studies of human behavior in the raw developed in him a deeper sense of humility in judging humankind. He looked upon the underdog as a friendless person searching for advice, and as a victim of despair whose spark of hope for the future he tried to fan. As the years went by Nate did something about that—he gave a helping hand and became a friend.

He numbered hundreds of policemen and criminals among his friends, especially Capt. Frankie Pope, now retired, formerly commander of the police in Chicago’s first district. Civic leaders, politicians, judges, lawyers, businessmen, and celebrities of the stage, screen, and cafe society called him by his first name.

I have known Nate Gross for many years. He covered many notorious criminal trials, both at the Old Courts Building and Chicago Municipal Court at 26th and California Avenue, Chicago, Ill. His own collection of reports of the celebrated criminal trials and incidents depict the history of the fabulous twenties and the characters of that era.

It was Nate Gross who was famous in that period of newspaper headlines for always being at the scene when there was an interview with the defendant to get—he delivered to his sheet. The fellows were around the Criminal Courts Building one day talking of days long ago. Nate Gross was in the room in which an interview was being held, and in front of him sat the defendant. He listened out justice—more on the practical side of life’s experiences. When humor and pathos swing jurors as actors with an audience.

Many of Nate’s friends of the early days are gone now—passing through the gate of destiny to the promised land—Boensinger, Chicago American; Hildy Johnson, Morning Examiner; and Jim Library of the Tribune; Art Summerfield, Clem Lane, and Enoch Johnson of the Daily News. The now-retired, distinguished George Wright of the Chicago Daily News; Nate Reid of the Chicago American, and Congressman Roman Pucinski of the Sun Times were celebrated reporters of that era.

The members of the famous criminal bar at that period were Miles Devine, Patrick O’Donnell, Clarence Darrow, Frank McDonald, George Crane, Wilbur Crowe (Judge), Ernest Padden, Enoch Poulton, Petrow, Stetron, Nicolsa, Love, Bulgier, Brody, E. M. Libonati, Busch, Meyers, the Devine brothers, Schultz, Barbaro, Scalaie, the Stillo brothers, Alixeri, Billy Smith, Hopes O’Brien, Milton Smith, Michael Romano, Emmett Byrne, Harold Levy, Judge Austin, Alex Napoli, Congressmen Edward Finnegan, and Barratt O’Hara.

Among the outstanding members of the bench were O’Connell, Dougherty, Butler, Crowley, Hartigan, Lupe, Sharbaro, Pope, Cilella, Barth, Geroules, Cornelius Harrington, Harriss, Quilliet, Green, Kiley, Drucker, McSweeney, Kula, McCormick, Covelli, Austin, Wells, Padden, Casey, Normoyles, Wells, Dempsey, Barry, Robey, Long, Kiley, Butler, Crowley, Hartigan, Ward, Burke, Bicek, Tucker, Leonard, Kiley, Touhy, Lyons, Adesko, Stanton, Heideler, Jackson, Hayes, and Rooney.

Whenever Nate met a man of brilliant mind and high principle he humbled himself a sincere desire to contribute his worth to the public problems at hand—he felt rewarded and exalted in whatever way his journalistic capacity could contribute to the public’s higher cause. He set up the real and the ideal, the public and the private, the individual and the public. When he was convinced that the public’s interest was at stake, he fought it out with the devil to win the right.

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The public mind. He fought all the way for clean and straight-to-the-truth journalism. He never belittled or belied their role when finding sources of news. And with him it was a certain medium for the stimulation of his likeness and keep him forever in the mansions of His glory.

In his personality, Nate Gross was a most engaging man, and everyone loved him and mourned his passing.

May God bless this fine character of His likeness and keep him forever in the mansions of His glory.

HON. THURGOOD MARSHALL

The SPEAKER. Under the previous order of the House, the gentleman from Pennsylvania [Mr. Nix] is recognized for 10 minutes.

Mr. NIX. Mr. Speaker, the delay in the confirmation of Mr. Thurgood Marshall is not the delay in the confirmation of Mr. Marshall's professional competence, nor his loyalty as a citizen of the United States, nor his integrity, but rather is the special kind of upbuilding that is being opposed solely because, through his earnest endeavors and tireless efforts a myth has been exploded; because a vicious practice born of the slave system and nurtured since the Reconstruction period—a practice which continued brutalities and injustices against the Negro—is now being struck down.

Mr. Speaker, I, therefore, say in concluding these remarks, if we sit idly by and allow this confirmation of Acting Judge Marshall to be further delayed; if we permit this appointment to become the subject of further obstructionist practices; if we tolerate the efforts of hostile forces to place a cloud of suspicion upon the name and reputation of this outstanding American, then we all become parties to one of the most vicious conspiracies ever engaged in by officialdom against the interest of this great Nation.

May we exercise our positive influence to complete this unfinished task and get along with other pressing business of state.

BACKGROUND ON LAOS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. LAIRD] may move to strike out the following, and insert in its place the following: CONGRESS OF THE UNITED STATES, HOUSE OF REPRESENTATIVES, Washington, D.C., August 23, 1962.

The Honorable Walter H. Fauntroy, Associate Secretary of State, Department of State, Washington, D.C.

Dear Mr. Fauntroy: Thank you for your letter of August 10 responding to certain questions I had raised about the Lao people.

In candor, I must state that your letter has heightened the fears which led me to write to Secretary Rusk in the first place. I agree with the perceptive reporter Richard Starnes that the administration's justification of the agreement of July 23 on Laos is "another false* added to the dangerous mythology that is the foundation for much of what passes for American policy in southeast Asia." I think that Mr. Starnes is right in saying, "To believe the Communist world means to keep the peace in a neutral Laos, one must first believe Communist policy has undergone a sharp and total reversal since the disgraceful rout of the United Nations forces at Tchepone."

This record represents an amazing and meteoric rise in the legal profession, in the respect of the bench and the bar, and in the admiration of the American people. History may accord him a very special place for his role in the legal evolution of the rights of man in the United States.

Mr. Speaker, it, therefore, becomes crystal clear that the issue before us is not Mr. Marshall's professional competence, nor his loyalty as a citizen of the United States, nor his integrity, but rather is the special kind of upbuilding that is being opposed solely because, through his earnest endeavors and tireless efforts a myth has been exploded; because a vicious practice born of the slave system and nurtured since the Reconstruction period—a practice which continued brutalities and injustices against the Negro—is now being struck down.

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It is true that the Commission may by ma­
jority vote override the President’s objections, but the con­
arie of the protocol clearly declares, “The con­
clusions and recommendations of the Com­
mis­sion resulting from its investigations shall be adopted unanimously.”

Consequently, I cannot accept your state­
ment that the general rule is that the Com­
mis­sion cannot override the President. On the con­
trary, the general rule is that the Com­
mis­sion can act only by unanimous vote, in­
cluding the President of the United States.

In fact, the veto is stitched into every part of the fabric of the incredible Geneva agreements, and it is made plain to the Com­
mis­sion that it is below its dignity to override a veto unless it is given by a member of the Interna­tional Control Commission. It is given to Prince Sou­renchvong, the Communist representative in Asia, and it can be and has been used to­
gether with whose concurrence the Commission cannot exercise any of its functions.

I am hardly assured by your statement that a vote on the part of one of the me­
bers of the International Control Com­
mis­sion is not final since the 14 signatory na­tions can “consider measures to be taken to ensure observance of the agreements, re­
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abled to take corrective action when a violation of the agreements by the Communists oc­
curs. The number of violations involving the agreements has already been violated by the move­ment of Communist forces from Laos into South Vietnam. Yester­day noon the deadline on agreeing to exit routes for foreign troops to get out of Laos expired. Already the treaty will be violated.

The negotiations at Geneva were an un­
broken retreat by the United States from positions which our President, our Sec­re­
tary of State, and the Congress have taken over the past 12 months. President Ken­nedy in March 1961 said that he would not permit Communist aggression to succeed in Laos. Secretary Rusk said that he would not sit down to negotiate in Geneva until there was an effective cease-fire in Laos. Mr. Rusk said the Laotian control body “should not be paralyzed by a vote.” You­self, Mr. Speaker, said in the House yesterday that “a provision requiring the integration of the three armies in Laos. This was not included. You­self, Mr. Speaker, entered into the provi­sions requiring reprisals against the Laotians who fought against the Communists at the urging of the United States. This was not included. The fact that you, Mr. Speaker, are in the process of writing the law can be judged from the reports that the recently freed American prisoners give of their treatment by the Communist captors.

The disappointment which our Nation ex­
perienced at Geneva is understandable. But when responsible spokesmen for our Nation return from Geneva to tell us that this de­
fault is really a victory, to assert that peace has thereby been merely made more secure, to pro­fess confidence that the Communist aggres­sors will keep their promises, their behavior is so like that of Neville Chamberlain at the time of Munich, that it should chill us to the very bone of our lives. Mr. Chamberlain said of Hitler at the time of Munich “** * here was a man who could be relied on when he had given his word.” The Times of London, July 28, 1962, reported “W. Averell Harriman, former Ambassador to Moscow, says he trusts Secretary of State Rusk and Khrushchev, but his word in carrying out the Geneva agree­ments guaranteeing the independence of Laos.”

Every effort is made by me to support our foreign policy on a bipartisan basis. To ask me or the members of my party to sup­port your actions regarding Laos which were directly opposite to the pronouncements of our President and our Secretary of State is most difficult for me. With best wishes and kindest personal regards, I am, Sincerely yours, Melvin R. Laird, Member of Congress.

CONGRESSIONAL INVESTIGATION

Mr. ARENDTS. Mr. Speaker, I ask un­
amymous consent that the gentleman from Missouri [Mr. Curris] may extend his remarks into the Record and include extraneous matter.

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

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I am inserting into the Record two editorials from the St. Louis Post­Dispatch and one from the St. Louis Globe­Democrat commenting upon the investi­gation being conducted by a sub­committee of the other body into the Federal mineral stockpiling program.

The issues raised by the three editor­i­als with which I wish to view the report of the three armies in Laos. This was not included. This was not included.

I am hardly reassured by your statement that a vote on the part of one of the members of the International Control Commission is not final since the 14 signatory nations can “consider measures to be taken to ensure observance of the agreements, regardless of the decisions or recommen­dations of the Commission itself.” I find it hard to believe that the Soviet Union, Communist China, North Viet­nam, Poland—and all sign­atories to the Geneva agreements—will be­able to take corrective action when a violation of the agreements by the Communists oc­curs. The number of violations involving the agreements has already been violated by the move­ment of Communist forces from Laos into South Vietnam. Yester­day noon the deadline on agreeing to exit routes for foreign troops to get out of Laos expired. Already the treaty will be violated.

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The disappointment which our Nation ex­perienced at Geneva is understandable. But when responsible spokesmen for our Nation return from Geneva to tell us that this de­fault is really a victory, to assert that peace has thereby been merely made more secure, to pro­fess confidence that the Communist aggres­sors will keep their promises, their behavior is so like that of Neville Chamberlain at the time of Munich, that it should chill us to the very bone of our lives. Mr. Chamberlain said of Hitler at the time of Munich “** * here was a man who could be relied on when he had given his word.” The Times of London, July 28, 1962, reported “W. Averell Harriman, former Ambassador to Moscow, says he trusts Secretary of State Rusk and Khrushchev, but his word in carrying out the Geneva agree­ments guaranteeing the independence of Laos.”

Every effort is made by me to support our foreign policy on a bipartisan basis. To ask me or the members of my party to sup­port your actions regarding Laos which were directly opposite to the pronouncements of the fact that much testimony has been adduced by the subcommittee which tended to degrade the former Secretary of Treasury, which had been made pub­lic. In 1957 I was pleased to see, and was of some assistance in bringing about the re­quest. In the urging of the gentleman from Missouri [Mr. Curris] to adduce testimony adduced before a House com­mittee which tended to degrade a person. The new House rules provide that such testimony must be taken in executive session, and can be adduced only upon the vote of the committee and even then the person involved has certain rights of presenting his side of the story before anything is made public.

The American Civil Liberties Union earlier this year—see my insert in the daily CONGRESSIONAL RECORD, August 8, pages A6059–A6061—commented upon the actions of the FCC in the Baked Baking case in pursuing an investigation in Indianapolis, in public. The American Civil Liberties Union pointed out that the FCC, and this principle applies to the Justice Department as well, in ef­fect utilizing the powers of a grand jury without any of the civil rights safe­guards that have grown up over the cen­turies to temper the great powers of the grand jury, the ability of the grand jury to sub­poe­na and bring before it the testimony of individuals against unfair public de­gradation.

Unfortunately, the congressional powers to investigate in our most recent legal history have been almost as gravely unbalanced as they were being exercised in investigating al­leged un-American activities. Those who seek to handle the case of the congressional powers to investigate sought to confine the public’s attention to the issue of Communist infiltration. The criticism of these people apart from much unfairness was gravely unbalanced because of this concentration. Con­gressional investigations of alleged national crime, alleged national labor racketeer­ing, alleged national drug dealing, and other crimes were in violation of the same principles allegedly violated by the committees investigat­ing Communist infiltration. The or­gan­ized group of critics of the ICCUAC failed completely to relate their criticism in this context.

The emotionalism flowed in great waves in two opposing directions. The emotionalism of those who were concen­trating upon the rights of individuals was in some respects surpassed by the emotionalism of those who were concen­trating upon the dangers of communism infiltration. The excesses that flowed from both groups served as momentum to increase the emotional reactions of the other.

Those who seek to handle the im­portant and basic power of congressional investigation with proper regard for the equally important and basic rights of the individuals concerned have been swamped in the turbulence which has ensued in the wake of the meeting of these two huge conflicting waves of emotionalism.

When we top all of this difficulty with the efforts of those who are trying to gain partisan political advantage out of this or that investigation it becomes a thing of wonder that any objectivity at
all remains in present day congressional investigations if representative government in a constitutional system of balanced powers is to function with any degree of integrity. The framers of the Constitution cannot abandon the process because of the seemingly overwhelming difficulties. Instead we must redouble our efforts to establish the kind of procedures which will protect it from the attacks of emotionality and permit it to fulfill its functions.

Perhaps it would be well that the two basic investigation committees of the House and Senate, the Government Operations Committees, be under the control of the political party not in control of the executive department, regardless of which party controls the House or the Senate. Interestingly enough, the people have provided for this kind of balance 8 out of the last 16 post-World War II years by electing Congresses controlled by the party not in the control of the executive, the 80th, 84th, 85th, and 86th Congresses. There is great likelihood that half of the 88th Congress will be elected in November which will carry out this principle.

For legislative reasons it may not be good for the political control to be split in the way that it now is in the investigative branches but for investigatory reasons it might very well be the best thing that can happen.

The editorial follows:

[From the St. Louis Post-Dispatch, Aug. 17, 1962]

THE HUMPHREY CASE

After full allowance has been made for partisanship and a certain degree of unfair innuendo in the Senate stockpiling investigation, one comes down to the core question: Was it right for Secretary of the Treasury George M. Humphrey in the Eisenhower administration to retain his dominant stock ownership in a company doing business with the Government?

We do not think it was right. We think Mr. Humphrey should have disposed of his Hanna stock exactly as Secretary of the Treasury of his General Motors stock, and McManus of his Ford stock. It is shocking that the same thing happened more than once to Mr. Wilson and another to Mr. Humphrey. It is equally so that Mr. Humphrey did not see then, and still does not see today, that the cases occur to anybody obvious.

When he stated that he dared Secretary of Defense McNamara of his Ford stock. The other question is whether Hanna earned exorbitant profits from selling nickel to the Government and if so acquiring a smaller nickel division, others, and with the Department of Defense, is whether Secretary of the Nation was oversupplied with nickel, as being quite irrelevant and beneath his dignity to respond. This, of course, just plain isn't right. When he stated that he dared Senator Symington to adjourn the hearings, he was no doubt right. The hearings were adjourned in the only manner in which he could, by adjourning it.

The evidence on the Hanna stockpile hearings are in any way an instance of gaining necessary information. There seems little doubt, however—out of the haze of charge and countercharge—that the Hanna Company was a large stockholder having a substantial contract with the Government, and questions as to whether the Nation was oversupplied with nickel, as being quite irrelevant and beneath his dignity to respond. This, of course, just plain isn't right. When he stated that he dared Senator Symington to adjourn the hearings, he was no doubt right. The hearings were adjourned in the only manner in which he could, by adjourning it.

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It is regrettable that Mr. Humphrey assumed, incorrectly, the role of martyr and intervenist. We list his answers, thus frustrating, at least for the time being, the Senate's unquestioned right to know.

DEFENSIVE ARMS FOR ISRAEL

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 20 minutes.

Mr. HALPERN. Mr. Speaker, it is with a sense of sorrow that I have heard the words of the President, expressed to his press conference last week if he had not the privilege of offering on the House floor a clear guideline expressing the sense of Congress on an important principle. This attitude emerged even before we have received the foreign assistance appropriations bill and in the face of the fact that the amendment was unanimously approved by this body and incorporated into the act signed by the President himself.

I am bound to say, to which I refer is found in section 101 of the act. It is one I had the privilege of offering on the floor of this House and it was identical to the amendment accepted in the Senate. It expresses the sense of Congress that in the administration of these funds great attention and consideration should be given to those countries which share the view of the United States on the world crisis and which do not, as a result of U.S. assistance, divert their own economic resources to propaganda efforts supported by the Soviet Union or Communist China, and directed against the United States or against other countries receiving aid under this act.

A news reporter asked the President at his press conference last week if he thought a country receiving aid from us had a moral right to engage in business deals for military purposes with the Communist bloc countries. The President replied that he did not think it was a moral issue and went on to justify American assistance to nations that use their own resources to buy Soviet munitions.

Mr. Speaker, the amendment offered a clear guideline expressing the sense of the Congress on the matter stated. Now, the question comes up whether the White House is to implement this will of the American people as unanimously expressed by their representatives in this Congress. Or is the administration to turn its back on this important principle?

I cannot understand why we should increase assistance and loans, for instance, to Egypt. It is no secret that Egypt is using its own resources to pay Soviet military technicians and instructors to purchase jet bombers, jet fighters, submarines, and so forth. The Egyptian military training programs are now inextricably linked to camps and bases behind the Iron Curtain.

Instead of promoting human welfare and development, the Egyptian regime is building up an arsenal of Soviet weapons in the Near East. I do not see why the American taxpayer should finance, however indirectly, such expansion of the Soviet military supply network. Have we forgotten Nasser of Egypt is a friend, supporter, and admirer of Cuba's Fidel Castro in acquiring similar Soviet equipment? Indeed, press reports describe how Egyptian and Cuban soldiers are both being trained in military and Soviet-aided bloc countries and even in Russia itself.

Mr. Speaker, the State of Israel is a democratic nation far more closely identified with America than Egypt. Witness the pro-Soviet vote of Egypt against the United Nations and the pro-American votes of Israel. Yet, not only are we assisting Egypt to build up a Soviet-equipped and Soviet-trained aggressive military force but we have denied Israel the right to purchase balancing arms from us for her own self-defense because Nasser might be annoyed.

I am concerned for Israel and the only anti-Communist nation on earth that is threatened by Soviet-equipped forces and which has turned to us pleading for the right to purchase balancing arms to use against the Soviet jet bombers and gotten no favorable response.

I recently have asked the President to prepare an explanation on the whole issue of arms transfer to Israel, the Egyptian military needs while subsidizing Egypt's buildup of late-model Soviet jets, tanks, submarines, and so forth. Mr. Speaker, under unanimous consent, I ask for a copy of the President at this point in the RECORD:

AUGUST 21, 1962.

The Honorable John F. Kennedy,
The White House,
Washington, D.C.

Dear Mr. President: I am seeking, through this communication which I respectfully address to you, clarification of the current thinking of the executive department on an issue in which you in the past have indicated concern.

As you will recall, you wrote the Honorable Herbert H. Lehman on November 2, 1960, stating that if an arms race cannot be avoided between Arab States and Israel, 'then at the very least, we should not condone any imbalance between the powers.' For instance, you said:

Mr. President, since you wrote those words, a dangerous imbalance has developed. The most modern weapons of the Soviet Union, in arsenals, in significant quantities, have been provided by the Soviet Union to Egypt's Nasser. Mr. Nasser has openly threatened to ' Algerianize' the Palestine issue, made bellicose displays of military rocketry, and bragged that Israel has nothing to match his new jet fighters and TU-16 Soviet jet bombers.

At tremendous expense, Israel has been forced to seek whatever arms it can obtain from France, in an attempt to maintain a semblance of balance. But Soviet weapons of ultramodern design, at bargain rates, are cynically poured into Egypt by the Soviet merchants of death. Israel's French sources are inadequate because Russia is giving Egypt its very latest equipment.

The only response of the United States has apparently been to send arms to the Arab States other than those supplied by Russia. Israel has been put at a grave disadvantage.

The arms bloc has clearly put its arsenals to work on the side of Nasser. Indeed, the entire Egyptian military establishment appears to have had speed, accuracy, and Red air force for training, equipment, spare parts, and so forth. The immediate balance between Israel and the Arabs has reached a dangerous point where Nasser is tempted to consider new objectives.

We are seemingly ignoring our commitment, stated by yourself and in the platform of the Democratic party.

The Egyptians are diverting their economic credits and resources not to raise living standards but to divert and to finance the flow of Soviet weapons. As you know, Mr. President, the Congress recently expressed itself in the defeat of the so-called Keating-Halpern amendment to the Mutual Security Act this session. This amendment established a principle that we should consider the acquisition of arms by nations that do not divert their own assets to the Soviet arms supply system.

We are gravely concerned that Castro's new Soviet military jets and equipment. How can we justify to the taxpayer the loans and grants to Castro's good friend, Nasser, that enable Egypt to divert resources to get his country more deeply involved with the Soviet military supply system?

It comes to my attention, Mr. President, that Israel is the only anti-Communist nation in the world not being provided with equipment by the United States, and that it is the administration to match the buildup of late-model aircraft and tanks by the Soviet Union.

I understand that we have become neutral to a friend, Israel, but friendly to a "neutral" nation. Israel has been denied the right to buy any American arms of real military importance and cannot even get authorization, apparently, to buy purely defensive anti-aircraft weapons manufactured and sold to herself from Nasser's Soviet jet bombers.

Would we similarly ignore the defense needs of South American nations threatened by Castro's Soviet military equipment?

In order that I may be constructively informed, especially since the foreign assistance appropriations bill will soon come before the House, I ask your early response to this inquiry.

With all good wishes and my warm regard,

Very sincerely,

SEYMOUR HALPERN.

Mr. Speaker, Mr. Nasser of Egypt has bragged that his budget for military purchases is the biggest in the world. The American taxpayer is to finance his domestic needs while Egyptian assets are released to pay for Russian munitions. Mr. Nasser said, "Why this budget? Because we are preparing. We are strengthening our air force, army, and navy."

Against whom is Nasser preparing this Soviet-equipped military force? Certainly not against the Soviet Union. He has openly stated that Israel is the intended victim.

Mr. Speaker, Mr. Milton Friedman is a distinguished journalist who is highly respected in Washington as an objective journalist. I feel that some of the points raised in Mr. Friedman's recent syndicated column are worthy of our consideration. The following excerpt presents an evaluation, in depth, of this issue. Under unanimous consent, I include Mr. Friedman's column:

UNITED STATES WON'T Aid Anti-Communist Israel?

By Milton Friedman

The administration is finding it increasingly difficult to explain why it still refuses...
geared to the Soviet army, fleet and air force for training, equipment, spare parts, and so forth. Egyptian forces have reached the point where they are entirely dependent on a Soviet service and supply and technical manuals originating in Moscow.

President Nasser apparently has been so preoccupied with the American Medical Association he has lost sight of that other AMA, the Arabian Missile Association.

**LEAVE OF ABSENCE**

By unanimous consent leave of absence was granted to:

| Mr. Macdonald (at the request of Mr. Albert), for today, on account of official business. |
| Mr. Cunningham (at the request of Mr. Halleck), for Monday, August 29, on account of official business. |
| Mr. O'Brien of Illinois (at the request of Mr. Libbatti), indefinitely, on account of illness. |
| Mr. McDowell (at the request of Mr. Albert), for today and tomorrow, on account of official business. |

**SPECIAL ORDERS GRANTED**

By unanimous consent, permission to address the House, following the legislative program, for any special order hereof entered, was granted to:

| Mr. Rodino (at the request of Mr. Albert), for 30 minutes, tomorrow, August 28, 1962, and to revise and extend his remarks and include extraneous matter. |
| Mr. Nix (at the request of Mr. Albert), for 10 minutes, today, and to revise and extend his remarks and include extraneous matter. |
| Mr. Bray (at the request of Mr. Arens), for 30 minutes, on August 30, 1962. |
| Mr. Lindsay (at the request of Mr. Arens), for 1 hour on Wednesday, August 29, 1962. |
| Mr. Halpem (at the request of Mr. Arens), for 20 minutes, today. |
| Mr. Halpem (at the request of Mr. Arens), for 20 minutes, on Tuesday, August 28, 1962. |

**EXTENSION OF REMARKS**

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

| Mr. Alger. |
| Mr. Smith of Iowa and to include tables. |
| Mr. Thompson of New Jersey. |
| Mr. Doug. |
| Mr. Rains. |
| Mr. Van Zandt. |
| Mr. Lindsay. |

**SENATE BILLS, JOINT RESOLUTION, AND CONCURRENT RESOLUTIONS REFERRED**

Bills, a joint resolution, and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

| S. 708. An act to validate the homestead entries of Leo F. Reeves; to the Committee on Interior and Insular Affairs. |
| S. 1552. An act to amend and supplement the laws with respect to the manufacture and distribution of contraceptive devices and purposes; to the Committee on Interstate and Foreign Commerce. |
| S. 407. An act to provide for retrocession of legislative jurisdiction over U.S. Naval Supply Depot Clearfield, Ogden, Utah; to the Committee on Armed Services. |
| S. 2950. An act for the relief of Dwijendra Kumar Misra; to the Committee on the Judiciary. |
| S. 2962. An act for the relief of Byung Yong Cho (Alain Cho Gardner) and Moonee Choi (Charlie Gardner); to the Committee on the Judiciary. |
| S. 3085. An act for the relief of Paul Huygelen and Luba A. Huygelen; to the Committee on the Judiciary. |
| S. 3221. An act to provide for the exchange of certain lands in Puerto Rico; to the Committee on Armed Services. |
| S. 3265. An act for the relief of Despina Anatos (Psyhopeda); to the Committee on the Judiciary. |
| S. 3275. An act for the relief of Anna Seifan; to the Committee on the Judiciary. |
| S. 3319. An act to extend to certain employees on the Trust Territory of the Pacific Islands the benefits of the Veterans' Compensation Act; to the Committee on Energy and Commerce. |
| S. 3380. An act for the relief of Naife Kahl; to the Committee on the Judiciary. |
| S. 3371. An act to authorize the Secretary of Commerce to establish and carry out a program to promote the flow of domestically produced lumber in commerce; to the Committee on Agriculture. |
| S. 3638. An act to amend title 10, United States Code, to authorize the appointment of citizens or nationals of the United States of America, or of other countries from American Samoa, Guam, or the Virgin Islands to the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy; to the Committee on Armed Services. |
| S. 3217. Joint resolution making the 17th day in September of each year a legal holiday to be known as Constitution Day; to the Committee on the Judiciary. |
| S. Con. Res. 84. Concurrent resolution expressing the sense of Congress that arrangements be made for viewing within the United States of certain films prepared by the U.S. Information Agency; to the Committee on Foreign Affairs. |
| S. Con. Res. 87. Concurrent resolution authorizing the printing of additional copies of the hearings entitled "Military Cold War Education and Speech Review Policies" and the report thereon; to the Committee on House Administration. |

**ENROLLED BILLS SIGNED**

Mr. Burleson, from the Committee on House Administration, reported that the Committee had examined and found truly enrolled bills for the purpose of the following titles, which were thenceupon signed by the Speaker:

| H.R. 1496. An act for the relief of Leo F. Reeves. |
| H.R. 2445. An act to provide that hydraulic brake fluid sold or shipped in commerce for...
use in motor vehicles shall meet certain specifications prescribed by the Secretary of Commerce.

S. 1108. An act to amend the Act of May 21, 1920, and January 25, 1927, relating to the construction of certain bridges across the Delaware and Great Miami rivers, and development contracted by the Federal Government at universities, colleges, and other educational institutions;

H.R. 7738. An act to amend the Act of May 18, 1956, to authorize special consideration for certain disabled veterans suffering blindness or bilateral kidney involvement;

H.R. 8564. An act to amend the Federal Employees' Group Life Insurance Act of 1954 to provide for the payment of amounts of insurance to the insurance fund under such act in the absence of any claim for payment, and for other purposes;

H.R. 10561. An act to amend title 28, United States Code, with respect to fees of U.S. marshals, and for other purposes;

H.R. 12091. An act to authorize the employment without compensation from the Government of readers for blind Government employees for the fiscal year next ensuing, pursuant to section 3031(c) of the Rehabilitation Act, as amended; to the Committee on Interstate and Foreign Commerce.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that the committee did on August 23, 1962, present to the President, for his approval, bills of the House of the following titles:

An act to amend chapter 11 of title 38, United States Code, to authorize special consideration for certain disabled veterans suffering blindness or bilateral kidney involvement.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 6 minutes p.m.) the House adjourned until tomorrow, Tuesday, August 28, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2450. A letter from the Secretary of the Army, transmitting reports of the number of officers on duty with Headquarters, Department of the Army, and the Army General Staff on June 30, 1962, pursuant to section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

2451. A letter from the Chairman, Federal Home Loan Bank Board, transmitting a draft of a proposed bill entitled "A bill to amend the Home Owners Loan Act, approved March 13, 1932, as amended;" to the Committee on Banking and Currency.

2452. A letter from the Deputy Administrator, Federal Aviation Agency, relative to the proposed program of airport development for the fiscal year next ensuing, pursuant to section 4 of the Federal Airport Act, as amended on September 30, 1951; to the Committee on Interstate and Foreign Commerce.

2453. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of a proposed bill entitled "A bill to authorize mortgage insurance and loans to help finance the cost of constructing and equipping facilities for the training of physicians and dentists;" to the Committee on Interstate and Foreign Commerce.
REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XXIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:


Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 12901. A bill to clarify certain provisions of part IV of the Interstate Commerce Act and to place transactions involving uniformations or acquisitions of control of freight forwards under the provisions of section 5 of the act; with amendment (Rept. No. 2269). Referred to the Committees of the Whole House on the State of the Union.

Mr. OLSEN: Committee on Post Office and Civil Service. H.R. 12907. A bill to amend the Classification Act of 1949 to authorize the establishment of hazardous duty pay in certain Scottish Elementary School teachers; referred to the Committee of the Whole House on the State of the Union.

Mr. CHORD: Committee on Interstate and Foreign Commerce. H.R. 12904. A bill to amend the act to provide for a mutual-aid plan of the District of Columbia and certain adjacent portions of federal territories in Maryland and Virginia, and for other purposes; referred to the Committee of the Whole House on the State of the Union.

Mr. BARRY: Committee on Merchant Marine and Fisheries. H.R. 11327. A bill to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses; without amendment (Rept. No. 2273). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK: Committee on Interstate and Foreign Commerce. Report on world newsprint and demand; without amendment (Rept. No. 2274). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:
H.R. 12904. A bill to authorize the Secretary of the Interior to provide for the sale of certain lands in Utah and adjacent lands to the Salem Maritime National Historic Site in Massachusetts, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROVHILL:
H.R. 12906. A bill to amend the act entitled "An act to provide for a mutual-aid plan for fire protection by and for the District of Columbia and certain adjacent communities in Maryland and Virginia, and for other purposes"; to the Committee on the District of Columbia.

By Mr. GONZALEZ:
H.R. 12908. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturer's excise tax on musical instruments; to the Committee on Education and Labor.

By Mr. ROUSSELOT:
H.R. 12907. A bill to abolish the Arms Control and Disarmament Agency and transfer its functions to the National Security Agency; to the Committee on Foreign Affairs.

By Mr. SCANTON:
H.R. 12905. A bill to amend title X of the Housing Act of 1949 with respect to eligibility for capital grants thereunder in certain hardship cases; to the Committee on Banking and Currency.

By Mr. THOMPSON of New Jersey:
H.R. 12908. A bill to prohibit the sale, produc- tion and distribution of educational and training films for use by deaf persons, and for other purposes; to the Committee on Education and Labor.

By Mr. DUERNO:
H.R. 12906. A bill authorizing the Administrator of General Services to convey certain property of the United States to the city of Roseburg, Ore.; to the Committee on Government Operations.

By Mr. HALPERN:
H.R. 12901. A bill to establish a Domestic Peace Corp; to the Committee on Education and Labor.

By Mr. NORDBLAD:
H.R. 12902. A bill to provide for the waiver of a condition of title of a parcel of land in Clatsop County, Ore., so as to permit its use as a public park; to the Committee on Merchant Marine and Fisheries.

By Mr. ARENS:
H.R. 12903. Joint resolution making the 36th day of September each year a legal holiday to be known as "Constitution Day"; to the Committee on the Judiciary.

By Mr. MATTHEWS:
H.R. 651. Joint resolution proposing an amendment to the Constitution of the United States requiring the ratification by each State of any proposed amendment to its Constitution; to the Committee on the Judiciary.

By Mr. WIDNALL:
H.R. 662. Joint resolution making the birthday of George Washington each year a major holiday to be known as "Washington's Birthday"; to the Committee on the Judiciary.

By Mr. WRIGHT:
H.R. 663. Joint resolution authorizing the President to appoint an ambassador to France on or after the 17th day of July, 1961; to the Committee on the Judiciary.

By Mr. FRIEDEL:
H.R. 770. Resolution authorizing the sale of a right-of-way across a portion of the District of Columbia which is suitable, and has been used, for the presentation of live drama, ballet, or opera productions, may be demolished; to the Committee on the District of Columbia.

MEMORIALS

Under clause 4 of rule XXII.

The SPEAKER presented a memorial of the Legislature of the State of Florida, memorializing the President of the United States relative to requesting an amendment to the Constitution relating to the apportionment and reapportionment of seats in the House of Representatives to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:
H.R. 12903. A bill for the relief of Dina Grad; to the Committee on the Judiciary.

By Mr. BROVHILL:
H.R. 12904. A bill for the relief of Victor O. McNabb; to the Committee on the Judiciary.

By Mr. DOOLEY:
H.R. 12905. A bill for the relief of Loreto Testori; to the Committee on the Judiciary.

By Mr. FOGARTY:
H.R. 12906. A bill for the relief of Carmine Antonio Cambio; to the Committee on the Judiciary.

By Mr. HALEY:
H.R. 12907. A bill for the relief of Irene Golobrodivo and Gloria Castillo; to the Committee on the Judiciary.

By Mr. HUDDLESTON:
H.R. 12908. A bill to authorize the Commissioners of the District of Columbia to sell a right-of-way across a portion of the District Training School grounds at Laurel, Md., and for other purposes; to the Committee on the District of Columbia.

By Mr. LORER:
H.R. 12909. A bill for the relief of Karoliva Rado; to the Committee on the Judiciary.

By Mr. OYARZA of Michigan:
H.R. 12910. A bill for the relief of Sister M. Augustina (Teresa Cattaneo), Sister M. Francesca (Rina Tagliaferri), Sister Maria Silvia (Natalina Pao) and Sister Maria Angela (Rosa Colombo); to the Committee on the Judiciary.

By Mr. SHIEK:
H.R. 12911. A bill for the relief of Brother Antonio Testori; to the Committee on the Judiciary.

By Mr. O'NEILL:
H.R. 12912. A bill for the relief of Ioannis Liberopoulos; to the Committee on the Judiciary.

By Mr. ROBERTS of Alabama:
H.R. 12913. A bill for providing for the extension of Patent No. 2,439,502, issued April 13, 1944, relating to an automatic fire alarm system; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

408. By the SPEAKER: Petition of J. W. Thach and others, praying for annulling consideration of their resolution with reference to protecting the rightful interests of small, independent retailers by working for, and voting for, the quality stabilization bill; to the Committee on Interstate and Foreign Commerce.

409. Also, petition of Eva Northrop, secretary, the Hopi Tribe, Oraibi, Ariz., relative to authorizing the Secretary of the Interior to acquire, maintain and manage certain lands for the benefit of the Hopi Tribe; to the Committee on Merchant Marine and Fisheries.

SENATE

MONDAY, AUGUST 27, 1962

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

Rev. Charles H. Mercer, minister, Centenary Methodist Church, Smithfield, N.C., offered the following prayer:

O God, our help in ages past, we thank Thee for our rich heritage, and ask for